

Decision 21-06-034 June 24, 2021

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to
Examine Electric Utility
De-Energization of Power Lines in
Dangerous Conditions.

Rulemaking 18-12-005

**DECISION ADOPTING PHASE 3 REVISED AND ADDITIONAL
GUIDELINES AND RULES FOR PUBLIC SAFETY POWER SHUTOFFS
(PROACTIVE DE-ENERGIZATIONS) OF ELECTRIC FACILITIES TO
MITIGATE WILDFIRE RISK CAUSED BY UTILITY INFRASTRUCTURE**

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APPENDIX A

**DECISION ADOPTING PHASE 3 REVISED AND ADDITIONAL
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Summary

Electric investor-owned utilities that elect to rely on power shutoffs as a measure of last resort to mitigate catastrophic wildfire risks must do so in a manner that is consistent with their fundamental statutory obligation to protect the public safety set forth in Public Utilities Code § 451. This decision adopts and revises the California Public Utilities Commission's (Commission) guidelines and rules for these utilities regarding proactive de-energizations to mitigate the risk of catastrophic wildfire caused by utility infrastructure, also known as Public Safety Power Shut Offs or PSPS events. These new and revised guidelines and rules are set forth in Appendix A and build upon prior Commission decisions, including Resolution ESRB-8 (July 12, 2018), Decision (D.)19-05-042, and D.20-05-051. In the next phase of this proceeding, the Commission will develop a compendium of the Commission's guidelines and rules regarding PSPS events and address other related matters, as needed.

This proceeding remains open.

1. Background

On December 13, 2018, the California Public Utilities Commission (Commission) opened this proceeding, Rulemaking (R.) 18-12-005, Order Instituting Rulemaking (OIR). The Commission named all California electric investor-owned utilities (IOUs or utilities) as respondents to this rulemaking proceeding. The Commission has issued several decisions in this proceeding, including Decision (D.) 19-05-042 and D.20-05-051, which set forth the guidelines and rules pertaining to when an IOU de-energizes power lines as a last resort

measure to mitigate the risk of potential catastrophic wildfire caused by the IOU's infrastructure, a process referred to as Public Safety Power Shutoff events (PSPS events). Through this proceeding, the Commission continues to undertake a thorough examination of the IOUs' actions before, during, and after their decision to de-energize power lines as a last resort measure to mitigate the risk of potential catastrophic wildfire caused by IOU infrastructure.

This proceeding is related to a long line of Commission decisions, dating back to 2009, addressing the rules and regulations applicable to a utility's use of power shutoffs as a mitigation measure to protect the public safety under Pub. Util. Code §§ 451 and 399.2(a) from fires caused by utility infrastructure. This proceeding is also related to several recent and ongoing Commission proceedings addressing wildfire prevention, safety, emergency response, microgrids, and climate change. We refer to some of these proceedings below.

Due to the extensive nature of the Commission's consideration in recent years of issues concerning wildfires caused by utility infrastructure in California, we only refer to the most relevant proceedings here and do not include a comprehensive discussion. More information is available in R.18-03-011 (disaster relief, including communications resiliency), R.19-09-009 (microgrids), R.18-10-007 (wildfire mitigation plans), and R.18-04-019 (climate change adaptation).

We also refer to recent legislation addressing the use of power shutoffs to mitigate the potential for catastrophic wildfires caused by utility infrastructure.

1.1. 2003 - 2007 Related Commission Decisions

Starting in 2003, Southern California Edison Company (SCE) relied upon power shutoffs as a wildfire mitigation measure, albeit on a very limited basis, to

guard against the threat of wildfire ignited by electric infrastructure from the large number of dead trees due to the bark beetle infestation.¹

At that time, the Commission had not yet directly acknowledged electric utilities' authority to shut off power in hazardous weather conditions as a wildfire mitigation measure. Instead, SCE, without explicit prior authorization from the Commission, relied upon its fundamental obligation under Pub. Util. Code §§ 451 to "promote the safety" of "patrons, employees, and the public"² to shut off power to prevent a wildfire. The rationale supporting the power shutoffs was, essentially, that shutting off electric power to customers would result in less harm or damage than the potential wildfire caused by IOU infrastructure. Consequently, the IOU would be protecting the overall safety of the public by shutting off power. Reliance on Pub. Util. Code § 451 and, later, on §399.2(a), authority for these power shutoffs has evolved over time but the utility's obligation has remained the same: protecting the public safety.

1.2. 2008 - 2009 Related Commission Decisions

In 2008, following the devastating 2007 fires in Southern California, including the Rice, Witch and Guejito wildfires, the Commission for the first time directly addressed the use of power shutoffs as a wildfire mitigation measure

¹ As described by the Commission in D.09-09-030, in 2003, SCE "implemented a temporary program to shut off power to rural areas where the Governor had declared a state of emergency due to the fire risk posed by the large number of dead trees killed by bark beetles." D.09-09-030 at 42. "SCE implemented its power shut-off program in 2003 on its own initiative and obtained Commission authorization sometime later. SCE terminated the program in August 2005, after the dead and diseased trees had been cleared from the region. During the time SCE's power shut-off program was in effect, SCE shutoff power one time. The shut-off occurred on October 26-27, 2003, in the Idyllwild area. It affected approximately 4,000 customers and lasted 26 hours." D.09-09-030 at 42.

² Pub. Util. Code § 451.

and began an in-depth review of an IOU's use of power shutoffs to protect the public safety.

In December 2008, San Diego Gas & Electric Company (SDG&E) filed a *Fire Preparedness Plan* with the Commission for review in Application (A.) 08-12-021.³ In its Application, SDG&E requested the Commission consider its proposal to turn off electricity to certain regions in its service territory during periods of high fire danger to prevent its overhead power lines from igniting potentially catastrophic wildfires.⁴ Notably, SDG&E did not request or seek the permission of the Commission for authority to shut off power but, instead, implied it would rely on this mitigation measure based on its existing statutory obligation under Pub. Util. Code § 451 to protect public safety.

In this SDG&E proceeding, the Commission also started to develop an implementation framework for the IOUs to rely upon before, during, and after making the decision to shut off power consistent with their obligation to protect the public safety under Pub. Util. Code § 451 and, later, § 399.2(a).

In September 2009, the Commission issued D.09-09-030, which took the first step in developing this framework in response to SDG&E's 2008 request for the Commission to review its *Fire Preparedness Plan*.⁵ In D.09-09-030, the Commission did not approve SDG&E's *Fire Preparedness Plan*, reasoning that SDG&E failed to demonstrate the benefits of its *Fire Preparedness Plan*, specifically

³ A.08-12-021, *Application of San Diego Gas & Electric Company for Review of its Proactive De-Energization Measures and Approval of Proposed Tariff Revisions (U902E)*, filed December 22, 2008. (filed on December 22, 2008). This application and all documents filed in this proceeding are available on the Commission's website.

⁴ D.09-09-030 at 2-3.

⁵ D.09-09-030, *Decision Denying Without Prejudice San Diego Gas & Electric Company's Application to Shut Off Power During Periods of High Fire Danger* (September 10, 2009).

the power shutoffs, outweighed the many significant adverse impacts on customers and communities.⁶ However, at the same time, in D.09-09-030, the Commission acknowledged that utilities have a statutory obligation under Pub. Util. Code §§ 451 and 399.2(a)⁷ to operate facilities in a manner that protects public safety, which could include a utility shutting off power when certain emergency conditions existed, such as the risk of wildfire ignitions caused by utility infrastructure due to hazardous weather conditions.⁸ No Commission authorization was required to shut off power. Nevertheless, the Commission found SDG&E failed to present a convincing case that its power shutoff plan as set forth in its *Fire Preparedness Plan*, would ultimately protect public safety because - in a finding that remains important today - the Commission found

⁶ D.09-09-030 at 60. Prior to issuing D.09-09-030, the Commission issued D.09-08-030, *Decision Granting the Motion for a Temporary Restraining Order Regarding San Diego Gas & Electric Company's Power Shut-Off Plan* (August 20, 2009). This decision is available on the Commission's website.

⁷ Pub. Util. Code § 451: Every public utility shall furnish and maintain such adequate, efficient, just, and reasonable service, instrumentalities, equipment, and facilities...as are necessary to promote the safety, health, comfort, and convenience of its patrons, employees, and the public.

Pub. Util. Code § 399.2 (a)(1): It is the policy of this state, and the intent of the Legislature, to reaffirm that each electrical corporation shall continue to operate its electric distribution grid in its service territory and shall do so in a safe, reliable, efficient, and cost-effective manner.

Pub. Util. Code § 399.2 (a)(2): In furtherance of this policy, it is the intent of the Legislature that each electrical corporation shall continue to be responsible for operating its own electric distribution grid including, but not limited to, owning, controlling, operating, managing, maintaining, planning, engineering, designing, and constructing its own electric distribution grid, emergency response and restoration, service connections, service turnons and turnoffs, and service inquiries relating to the operation of its electric distribution grid, subject to the commission's authority.

⁸ D.09-09-030 at 66.

SDG&E did not account for the harms caused to the public by such a power shutoff.⁹

The Commission's 2009 decision explained the potential for "significant" adverse impacts on the public as a result of power shutoffs due to wildfire concerns.¹⁰ The Commission identified 15 major areas of potential concerns: (1) failure of critical communications networks,¹¹ (2) loss of functional communication facilities at the customer premises, (3) wide ranging adverse public safety impacts due to loss of communication services,¹² (4) loss of news and information services to disseminate emergency information to the public, (5) inability of the disabled, the elderly, and the medically fragile to rely on electric-powered devices, specialized communications equipment, refrigerated medications, and life support equipment, (5) adverse impact on schools and the safety of children, (6) adverse impact on water supply,¹³ (7) adverse impact on

⁹ D.12-04-024 at 3, referring to D.09-09-030, "The Commission denied SDG&E's application in Decision (D.) 09-09-030, finding that SDG&E had not demonstrated that the fire-prevention benefits from its plan to shut off power outweighed the significant costs, burdens, and risks imposed on customers and communities in areas where power is shut off."

¹⁰ D.09-09-030 at 61.

¹¹ D.09-09-030 at 34, stating that communications "service could start to fail for many customers after 4-12 hours as batteries are exhausted and generator fuel is consumed. To keep networks functioning, the exhausted batteries would need to be replaced with fresh batteries or portable generators, and the generators would need to be refueled. This could become a herculean task during a widespread and prolonged power shut-off event, as there are hundreds of sites in the Power Shut-Off Areas where backup power would be needed to keep communications networks functioning."

¹² D.09-09-030 at 36, the Commission identifies failure of 911 calls to report fire, crimes, medical emergencies, vehicle accidents, inability of first responders to communicate with each other so that coordinated and timely responses are prevented, inability for residents to receive emergency/evacuation notices, failure of health and security services, and inability of senior or the disabled to use "lifeline" emergency buttons.

¹³ D.09-09-030 at 39, stating "pump stations provide water to tens of thousands of customers and for firefighting purposes" and these pump stations lack backup power.

sewage and sanitary services,¹⁴ (8) significant costs for customers related to the provision of a different source for energy supplies, (9) significant costs incurred by customers, such as businesses, during a power shutoff,¹⁵ (10) unique hardships suffered by economically disadvantaged customers, (11) increased dangers, such as fire ignition, from the use of portable generators, (12) increased risks of vehicle accidents due to loss of functioning traffic and street lights, (13) problematic evacuation efforts due to the inability to timely transmit notices to evacuate, (14) diversion of public safety personnel from primary duties to blackout-related concerns, and (15) inability to conduct of a broad range of economic activities.¹⁶

In summarizing these harms in 2009, the Commission found:

[A] safe electric system is one which is operated to prevent fires. However, operating a safe system also includes the reliable provision of electricity. Without power, numerous unsafe conditions can occur. Traffic signals do not work, life support systems do not work, water pumps do not work, and communication systems do not work. As the California Legislature recognized in § 330(g), '[r]eliable electric service is of utmost importance to the safety, health, and welfare of the state's citizenry and economy.'¹⁷

In concluding, the Commission gave additional guidance to IOUs on these power shutoffs, emphasizing that, "there is a strong presumption that power

¹⁴ D.09-09-030 at 40, "In order to avoid spills or unlawful discharges, the Water Districts will need to rent generators during power shut-off events to keep sewer facilities operating."

¹⁵ D.09-09-030 at 40, "Such costs could include the rental of portable generators; lost business revenues; lodging and restaurant costs for residents who leave the area while power is shutoff; loss of refrigerated foods and medicines; and general loss of public convenience."

¹⁶ D.09-09-030 at 34-43.

¹⁷ D.09-09-030 at 61.

should remain on for public safety reasons.”¹⁸ The Commission also stated that any future proposal must be “based on a cost-benefit analysis that demonstrates (1) the program will result in a net reduction in wildfire ignitions, and (2) the benefits of the program outweigh any costs, burdens, or risks the program imposes on customers and communities.”¹⁹

1.3. 2010 – 2012 Related Commission Decisions

The Commission revisited the use by IOUs of power shutoffs as a wildfire mitigation measure in 2012. The Commission issued additional guidance to IOUs on these power shutoffs in D.12-04-024.²⁰ However, before issuing D.12-04-024, the Commission took steps in a separate proceeding, R.08-11-005,²¹ to apply the analysis in D.09-09-030 - for balancing the potential benefits with the harms to the public resulting from these proactive power shutoffs - to all electric utilities. On January 12, 2012, the Commission issued D.12-01-032 (in R.08-11-005) and addressed the potential reliance by *all* investor-owned electric utilities on proactive power shutoffs, as part of what the Commission referred to as, generally, *fire prevention plans*.²²

In D.12-01-032, when addressing the increased risks of wildfire, the Commission directed all electric utilities to consider developing fire prevention plans and explained that such plans may be needed “to protect public safety...

¹⁸ D.09-09-030 at 61.

¹⁹ D.09-09-030 at 2 and 63.

²⁰ D.12-04-024, *Decision Granting Petition to Modify Decision 09-09-030 and Adopting Fire Safety Requirements for San Diego Gas & Electric Company* (April 19, 2012).

²¹ R.08-11-005, *Order Instituting Rulemaking to Revise and Clarify Commission Regulations Relating to the Safety of Electric Utility and Communications Infrastructure Provider Facilities* (November 6, 2008).

²² D.12-01-032, *Decision Adopting Regulations to Reduce Fire Hazards Associated with Overhead Power Lines and Communication Facilities* (January 12, 2012) at 58.

[by evaluating] the risk of wind-ignited power-line fires during extreme fire-weather events ... in areas where it is determined that there is a relatively high risk for such fires.”²³

The Commission explained that these fire prevention plans could include, as a component, shutting off power to mitigate the risk of wildfire ignition and directed IOUs to file separate applications if they intended to rely on such power shutoffs in their fire prevention plans.²⁴ Importantly, in D.12-01-032, the Commission specifically found that these applications must account for all the directives applicable to SDG&E in D.09-09-030 (summarized above), including the potential harms to the public from any such power shutoffs.²⁵

In D.12-04-024, when addressing SDG&E’s application, the Commission adopted the following protection mechanisms and reporting requirements related to proactive power shutoffs: (1) a 10-day post-event reporting requirement, (2) the reporting of all the factors considered by the utility leading up to the decision to shut off power,²⁶ (3) directing utilities to identify certain essential services and vulnerable populations that might need extra or earlier notice prior to a power shutoff,²⁷ and (4) emphasizing that proactive power

²³ D.12-01-032 at 58.

²⁴ D.12-01-032 at 55-56.

²⁵ D.12-01-032 at 55-56.

²⁶ D.12-04-024 at 36-37. The Commission stated, “SDG&E shall submit the report no later than 10 business days after the shutoff event ends.” Throughout this decision, the use of the term, 10-day post-event report, refers to the report first mandated by the Commission in D.12-04-024 and to be filed *10 business days* after the end of the event. This requirement remains in place today.

²⁷ D.12-04-024 at 10, the Commission found that prior notice was critical and identified certain customers and members of the community that may particularly suffer harm in the event of a power shutoff, finding that SDG&E should provide as much notice as feasible before shutting off power so that “essential services (e.g., schools, hospitals, prisons, public safety agencies,

shutoffs used for wildfire mitigation should only be used as a *last resort*, citing to the provision in Pub. Util. Code § 330(g) that “[r]eliable electric service is of utmost importance to the safety, health, and welfare of the state’s citizenry and economy.”²⁸

1.4. 2018 - Related Commission Decisions

The Commission next addressed these power shutoffs in 2018. On July 12, 2018, the Commission issued Resolution ESRB-8.²⁹ In that Resolution, the Commission, responding to the destruction caused by the 2017 wildfires and with the understanding that some of these fires were caused by IOU infrastructure,³⁰ took additional steps to extend the rules and regulations for these proactive power shutoffs to all electric IOUs – although the Commission had done this previously in D.12-01-032 – and found that the power shutoff requirements pertaining to SDG&E in D.09-09-030 and D.12-04-024 applied to all California investor-owned electric utilities.³¹

While the Commission had already made it clear in D.12-01-032 that the requirements in D.09-09-030 applied to *all* electric IOUs,³² Resolution ESRB-8

telecommunications utilities, and water districts) and customers who are especially vulnerable to power interruptions (e.g., customers who rely on medical life-support equipment) may implement their own emergency plans.”

²⁸ D.12-04-024 at 29-30.

²⁹ Resolution ESRB-8 (July 12, 2018).

³⁰ Resolution ESRB-8 (July 12, 2018) at 2.

³¹ Resolution ESRB-8 (July 12, 2018) at 1.

³² D.12-01-032 at 55-56, stating “Any electric IOU that intends to shut off power as part of its fire-prevention plan must file an application for authority to do so. The application shall demonstrate with a cost-benefit analysis developed in accordance with the guidance provided by D.09-09-030 that the benefits of shutting off power in terms of a net reduction in wildfire ignitions outweigh the substantial costs, burdens, and risks that shutting off power would impose on customers and communities affected by the shutoff.”³² The application must also

further confirmed the applicability of the prior rules and regulations to all electric IOUs and, in addition, strengthened the reporting, public outreach, and notification requirements before, during and after proactive power shutoffs.³³ The Resolution further directed the IOUs to mitigate the harm to the public.³⁴

Specifically, Resolution ESRB-8 directed, among other things, the IOUs to follow these additional directives related to proactive power shutoffs: (1) submit post-event reports when the public is advised of a potential power shutoff even if the utility does not actually shut off power; (2) include in post-event reports community contacts for the affected area, an explanation if advanced notice was not provided two hours before the power shutoff, and a description of the community assistance locations open during the power shutoff, (3) submit a one-time report to the Commission's Safety and Enforcement Division (SED) that, among other things, identifies the state agencies, local agencies, and tribal governments the IOU will coordinate with in developing a plan to shut off power as a wildfire mitigation measure, the IOU's plan for noticing customers before and during a power shutoff, and the IOU's plans for mitigating harm to the public when a power shutoff occurs, (4) meet with representatives from local communities that may be affected by power shutoffs before putting the practice in effect, (5) discuss details of any potential power shutoff and the mitigation measures that the communities should consider putting in place, including

include mitigation measures to reduce or eliminate the inevitable adverse impacts caused by shutting off power. Special effort should be placed on mitigating the adverse impacts on people with disabilities, providers of essential services, and schools. An electric IOU may not shutoff power as a part of its fire-prevention plan until the Commission has granted authority to do so."

³³ Resolution ERSB-8 (July 12, 2018) at 2.

³⁴ Resolution ERSB-8 (July 12, 2018) at 2.

information about any assistance the IOU may be able to provide during PSPS events, (6) as soon as practicable before an actual power shutoff, notify and communicate with fire departments, first responders, local communities, governments, communications providers, and community choice aggregators, and (7) assist critical facility customers to evaluate their need for backup electric power, which may include the utility's provision of generators to critical facilities.³⁵

On September 21, 2018, the Legislature passed Senate Bill (SB) 901, specifically addressing electric IOUs' use of power shutoffs as a wildfire mitigation measure.³⁶ SB 901 added and amended a number of provisions of the Pub. Util. Code, including § 8386, requiring, among other things, all California electric IOUs to prepare and submit annual *Wildfire Mitigation Plans* to the Commission that described the IOUs' plans to prevent, combat, and respond to utility-associated wildfires in their service territories.³⁷ As part of these plans, IOUs were directed to address the use of power shutoffs as a wildfire mitigation measure. For example, Pub. Util. Code § 8386(c) required the plans to include "Protocols for ... deenergizing portions of the electrical distribution system that consider the associated impacts on public safety, as well as protocols related to mitigating the public safety impacts of those protocols, including impacts on

³⁵ Resolution ERSB-8 (July 12, 2018) at 5-7.

³⁶ SB 901 (Dodd, Stats. 2018, Ch. 626) to amend §§ 399.20.3, 854, 959, 1731, 2107, 8386, and 8387 of, to add §§ 451.1, 451.2, 748.1, 764, 854.2, 8386.1, 8386.2, 8386.5, and 8388 to, to add Article 5.8 (commencing with § 850) to Chapter 4 of Part 1 of Division 1 of, and to repeal and add § 706 of, the Pub. Util. Code, relating to wildfires. SB 901 also amended and added to the Public Resources Code, Civil Code, Health and Safety Code, and Government Code.

³⁷ R.18-10-007, *Order Instituting Rulemaking to Implement Electric Utility Wildfire Mitigation Plans Pursuant to Senate Bill 901* (October 25, 2018) at 2.

critical first responders and on health and communication infrastructure.”³⁸

Section 8386(c)(6) required the Wildfire Mitigation Plans to include protocols for disabling reclosers and de-energizing portions of the electrical distribution system that consider the associated impacts on public safety, including impacts on critical first responders and on health and communication infrastructure.

Section 8386(c)(7) required the Wildfire Mitigation Plans to include appropriate and feasible procedures for notifying customers who may be impacted by the de-energization of electrical lines, including the need for priority notice to critical first responders, health care facilities and operators.

On October 25, 2018, shortly after the passage of SB 901, the Commission opened R.18-10-007 as the forum to implement certain portions of SB 901, specifically the directives pertaining to the IOUs’ Wildfire Mitigation Plans.³⁹ On May 30, 2019, the Commission issued a number of decisions in that proceeding with a separate decision on each IOU’s Wildfire Mitigation Plan. The Commission also adopted a further decision in 2020 pertaining to these plans and numerous resolutions pertaining to 2020 plans. Some of these decisions include D.20-03-004, D.19-05-036,⁴⁰ D.19-05-037, D.19-05-038, D.19-05-039, D.19-05-040, and D.19-05-041.⁴¹ All of these decisions addressed utility proactive power shutoffs used for wildfire mitigation.

³⁸ Pub. Util. Code § 8386(c)(6).

³⁹ R.18-10-007 (December 13, 2018) *Order Instituting Rulemaking to Examine Electric Utility De-Energization of Power Lines in Dangerous Conditions* at 2 to 3.

⁴⁰ D.19-05-036, the Commission issued a guidance decision on May 30, 2019, on the legal meaning of the decision on the *Wildfire Mitigation Plans* pursuant to SB 901.

⁴¹ On May 30, 2019, the Commission issued the following: D.19-05-036, *Guidance Decision On 2019 Wildfire Mitigation Plans Submitted Pursuant To Senate Bill 901*; D.19-05-039, *Decision on San Diego Gas & Electric Company's 2019 Wildfire Mitigation Plan Pursuant To Senate Bill 901*; D.19-05-037, *Decision On Pacific Gas And Electric Company's 2019 Wildfire Mitigation Plan Pursuant*

In 2018, the Commission took further action to address these proactive power shutoffs to provide guidance to IOUs for promoting safe de-energizations. On December 19, 2018, the Commission initiated this proceeding, R.18-12-005, to expand and strengthen the rules and regulations, previously developed in 2009, 2012, and in early 2018, applicable to proactive power shutoffs used as a wildfire mitigation measure.

In R.18-12-005, the Commission continues to address matters related to these proactive power shutoffs or PSPS events and currently has framed two major topics in this proceeding (which the Commission has placed on two different tracks).

One track serves as the Commission's primary forum for the development of rules and regulations regarding these proactive power shutoffs. These rules and regulations are known as the PSPS Guidelines. The other track of R.18-12-005 consists of an adjudicatory review of certain specific aspects of PG&E's conduct related to the proactive power shutoffs in late 2019. More specifically, on November 12, 2019, the assigned Commissioner and Administrative Law Judge issued an *Order to Show Cause* on why PG&E should not be sanctioned by the Commission for violation of Pub. Util. Code § 451, D.19-05-042, and Resolution ESRB-8 for its conduct concerning the PSPS events on (1) October 9, 2019 - October 12, 2019, (2) October 23, 2019 - October 25, 2019,

To Senate Bill 901; D.19-05-038, Decision On Southern California Edison Company's 2019 Wildfire Mitigation Plan Pursuant To Senate Bill 901; D.19-05-040, Decision On 2019 Wildfire Mitigation Plans Of Liberty Utilities/CalPeco Electric; Bear Valley Electric Service, A Division of Golden State Water Company; And Pacific Power, A Division of PacifiCorp Pursuant To Senate Bill 901; D.19-05-041, Decision On Horizon West Transmission, LLC's And Trans Bay Cable LLC's 2019 Wildfire Mitigation Plans Pursuant to Senate Bill 901.

and (3) October 26, 2019 – November 1, 2019.⁴² The Commission’s review of PG&E’s conduct in the *Order to Show Cause* regarding 2019 is ongoing. We describe our ongoing work in the other track of R.18-12-005 further below.

1.5. 2019 – Related Commission Decisions and Legislation

In 2019, Assembly Bill (AB) 1054 (Holden, Ch. 79, Stats. 2019) was enacted as an urgency measure to address the dangers and devastation from catastrophic wildfires in California caused by electric utility infrastructure, including the increased costs to ratepayers resulting from electric utilities’ exposure to financial liability. AB 1513 (Ch. 396, Stats. 2019) subsequently modified AB 1054 and a companion bill, AB 111 (Ch. 81, Stats. 2019), was also enacted. AB 1054 left in place the components of Pub. Util. Code § 8386 that required the IOUs to address proactive power shutoffs in their Wildfire Mitigation Plans.

In May 2019, the Commission issued its first decision in this proceeding, D.19-05-042,⁴³ which provided additional guidance to utilities when proactively shutting off power as a wildfire mitigation measure. In this decision, the Commission adopted the Phase 1 De-Energization Guidelines (also referred to as the *Phase 1 PSPS Guidelines*).⁴⁴ These rules and regulations are referred to, herein, as guidelines and rules (rather than just “guidelines”) to reflect the fact that some

⁴² R.18-12-005, [November 12, 2019 Order to Show Cause](http://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M319/K530/319530378.PDF) is available at: <http://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M319/K530/319530378.PDF>. The Commission is reviewing the following topics pertaining to PG&E’s 2019 PSPS events: (1) the availability and functionality of PG&E’s website, (2) the accuracy of online maps, (3) the accessibility of the secure data transfer portals, (4) the sufficiency of the staffing at call centers, (5) the sufficiency of advanced notice to customers, and (6) the sufficiency of advanced notice to Medical Baseline customers.

⁴³ D.19-05-042, *Decision Adopting De-Energization (Public Safety Power Shut-Off) Guidelines (Phase 1 Guidelines)* (May 30, 2019).

⁴⁴ D.19-05-042 at Appendix A.

are mandatory and some are discretionary. In D.19-05-042, the Commission reiterated the need for utilities to identify the public harms of de-energizations and then to balance those harms against potential wildfire mitigation benefits.⁴⁵ The Commission also reiterated that utilities must only use power shutoffs as a last resort for wildfire mitigation.⁴⁶

Following the Commission's adoption of D.19-05-042, the IOUs initiated numerous PSPS events during the 2019 fire season to a degree not seen in the past to mitigate the potential for wildfire caused by utility infrastructure. Between October 2, 2019 and November 26, 2019, with the onset of hazardous fall weather conditions in California, including high winds and dry conditions, PG&E, SCE, and SDG&E proactively shut off electricity to approximately 2,153,906 customer accounts,⁴⁷ including 76,978 customer accounts that depended on electric power for medical needs.⁴⁸

In response to these PSPS events, on November 13, 2019, the Commission also opened an investigation into those PSPS events initiated by PG&E, SCE, and SDG&E, I.19-11-013.⁴⁹ In the first part of this investigation proceeding, SED issued a report (SED Report) on its review of the 2019 PSPS events. In putting together its report, SED reviewed all the proactive power shutoff events that

⁴⁵ D.19-05-042, Appendix A at A24.

⁴⁶ D.19-05-042, Appendix A at A1.

⁴⁷ Customer accounts are generally a household or business.

⁴⁸ SED Report at 3, Table 1; *See also*, Public Advocates Office at the California Public Utilities Commission (Cal Advocates) October 16, 2020 Opening Comments at i. A customer account is included in this total each time power was shut off, which means, for example, if a customer account was de-energized twice in late 2019, it is counted twice in this total.

⁴⁹ I.19-11-013, *Order Instituting Investigation on the Commission's Own Motion on the Late 2019 Public Safety Power Shutoff Events*. (November 13, 2019). The documents filed in this proceeding are available on the Commission's website at *Docket Card*.

occurred in late 2019, five PG&E proactive power shutoffs, six SCE proactive power shutoffs, and two SDG&E proactive power shutoffs. This SED Report was also incorporated into the record of this proceeding by the September 14, 2020 Administrative Law Judge ruling and is further discussed below. The Commission's investigation proceeding, I.19-11-013, is ongoing and a proposed decision was published on April 20, 2021.⁵⁰

1.6. 2020 – Related Commission Decisions

On May 28, 2020, the Commission adopted the second decision in this proceeding, D.20-05-051, which included additional guidelines, rules, and regulations that expanded upon those previously adopted in the above-noted decisions, including Resolution ESRB-8 and D.19-05-042.⁵¹ These additional guidelines, rules, and regulations are referred to as the *Phase 2 PSPS Guidelines*. In D.20-05-051, the Commission, among other things, directed the IOUs to regularly convene working groups to engage with interested stakeholders regarding wildfire safety and PSPS events; explore and identify “lessons learned” and “best practices;” conduct PSPS exercises in preparation for proactive de-energization events; and plan for the provision of community resource centers.

2. Phase 3 R.18-12-005 - Issues Before the Commission

As stated in the February 19, 2021 scoping memo issued for Phase 3 of this proceeding, the purpose of this phase of the proceeding is for the Commission to

⁵⁰ I.19-11-013, April 20, 2021 *Proposed Decision of the Administrative Law Judge Addressing the Late 2019 Public Safety Power Shutoffs by Pacific Gas and Electric Company, Southern California Edison Company, and San Diego Gas & Electric Company to Mitigate the Risk of Wildfire Caused by Utility Infrastructure*.

⁵¹ D.20-05-051, *Decision Adopting Phase 2 Updated and Additional Guidelines for De-Energization of Electric Facilities to Mitigate Wildfire Risk* (May 28, 2020).

consider whether existing PSPS guidelines, rules, and regulations, which were adopted in prior Commission decisions, including Resolution ESRB-8, D.19-05-042, D.20-05-051, should be further refined in advance of the 2021 wildfire season. Attachment 1 to the February 19, 2021 scoping memo included a staff proposal, with recommended updated and new guidelines, rules, and regulations based on the Commission's review of Resolution ESRB-8, D.19-05-042, D.20-05-041, post-PSPS event reports, the responses to those reports, the SED Report⁵² and comments filed on the SED Report in this proceeding and in the related proceeding, I.19-11-013. The February 19, 2021 scoping memo established a schedule for parties to file comments on the staff proposal on or before March 19, 2021 and reply comments on or before March 29, 2021.

On March 19, 2021, the following parties filed their respective opening comments on the issues set forth in the staff proposal attached to the February 19, 2021 scoping memo: Acton Town Council, CA Large Energy Consumers Association (CLECA); California State Association of Counties (CSAC); Center for Accessible Technology (CforAT); Energy Producers and Users Coalition (EPUC); Golden State Power Cooperative (Golden State Power); Pioneer Community Energy; East Bay Community Energy; and Sonoma Clean Power Authority (collectively, the Joint CCAs); California Cable & Telecommunications Association, Consolidated Communications of California Company, Frontier and the Small LECs (collectively, Joint Communications Parties); Counties of Kern, Marin, Mendocino, Napa, Nevada, San Luis Obispo, Santa Barbara, and Sonoma, and the Cities of Santa Rosa and Simi Valley (collectively, the Joint Local Governments); Mussey Grade Road Alliance

⁵² SED completed its report on April 30, 2020, entitled *Public Report on the Late 2019 Public Safety Power Shutoff Events* (April 30, 2020) (herein "SED Report").

(Mussey Grade); Northern California Power Agency (NCPA); Pacific Gas and Electric Company (PG&E); Public Advocates Office (Cal Advocates); Rural County Representatives of CA (Rural Counties); San Diego Gas & Electric Company (SDG&E); Small Business Utility Advocates (SBUA); Southern California Edison (SCE); State Council on Developmental Disabilities (SCDD); The Utility Reform Network (TURN); and William B. Abrams (Abrams).

On March 29, 2021, the following parties filed their respective reply comments on the issues set forth in the staff proposal attached to the February 19, 2021 scoping memo: Acton Town Council; CLECA and EPUC; CforAT; County of Santa Clara (Santa Clara County); Disability Rights Education and Defense Fund and Disability Rights California (collectively, Disability Rights); Golden State Power; Joint CCAs; CTIA – The Wireless Association (CTIA); Joint Local Governments; Mussey Grade; NCPA; PG&E; Rural Counties; SDG&E; SBUA; and SCE.

The substance of these comments is discussed below.

3. Jurisdiction

Pub. Util. Code §§ 451 and 399.2(a) provide IOUs with authority to de-energize power lines to protect public safety. However, such a de-energization, which leaves communities and essential facilities without power, brings its own risks and hardships, particularly for vulnerable communities and individuals.

The California Constitution and Public Utilities Code provide the Commission with broad jurisdiction to adopt and enforce regulations regarding

the safety of utility facilities and operations.⁵³ Utilities are required by Pub. Util. Code § 702 to “obey and comply” with such requirements.⁵⁴ Moreover, the Commission has broad authority to implement safety requirements for utilities under Pub. Util. Code § 451.⁵⁵

Moreover, well-established precedent confirms that the obligation of utilities to “promote safety” under Pub. Util. Code § 451 is “absolute”⁵⁶ and is a longstanding requirement since and before its enactment in 1951.⁵⁷ Enacted in 1911, the predecessor to Pub. Util. Code § 451, Public Utilities Act, Art. II, Sec. 13(b), also required utilities to promote safety.⁵⁸ Additional support for the state policy requiring safe electric utility operations is also found in Pub. Util. Code § 399.2(a).⁵⁹

⁵³ California Constitution, Article XII, §§ 3 and 6, and Pub. Util. Code §§ 216, 701, 761, 768, 770, 1001, 8037 and 8056; *See, San Diego Gas & Electric Company v. Superior Court* (1996) 13 Cal.4th 893, 923-924.

⁵⁴ *See*, Pub. Util. Code §§ 761, 762, 767.5, 768, and 770.

⁵⁵ D.20-07-011, *Decision Adopting Wireless Provider Resiliency Strategies* (July 16, 2020) at 16-17.

⁵⁶ D.15-04-021 at 51; *see* D.15-04-024 at 188-89: “We fully concur with the proposition that a public utility should make safety the highest priority, even at the expense of shareholder returns. This reflects our view that the requirement of Pub. Util. Code § 451 to “furnish and maintain such adequate, efficient, just, and reasonable service, instrumentalities, equipment, and facilities... as are necessary to promote the safety ... of its patrons, employees, and the public” is absolute and cannot be compromised by shareholder return considerations; *see* D.15-04-024, at 190: “As we noted in Section 7.1.2.13 above, the absolute safety obligation created by Pub. Util. Code § 451 means that PG&E must spend whatever is necessary for safe operations and practices without regard to whether operational savings have been achieved.”

⁵⁷ D.15-04-021 at 27.

⁵⁸ D.15-04-021, at 27: “Similarly, California Public Utilities Act, Article II Sec. 13(b), which was in effect from 1911 to 1951, required that ‘every public utility shall furnish, provide and maintain such service, instrumentalities, equipment and facilities as shall promote the safety, health, comfort and convenience of its patrons, employees and the public.’”

⁵⁹ D.13-03-032, at 43, citing Pub. Util. Code § 399.2(a)(1) at footnote 58: “*See* Publ. Util. Code §§ 399(b), 399.2(a) and 399.8(a);” D.02-04-055, at 35, footnote 10: “§399.2(a);” D.09-09-030,

4. Reasonableness of PSPS Events and IOU Efforts to Mitigate Potential Harms of PSPS Events

In comments filed in Phase 3 of this proceeding, a number of parties express frustration at the lack of focus in the Phase 3 scoping memo and the attached staff proposal on developing criteria by which to assess the reasonableness of IOUs' decisions to initiate and conduct PSPS events. These comments strongly indicate a need to clarify the Commission's regulatory framework for public safety power shutoffs.

As a foundational matter, it is necessary to distinguish between (1) reasonableness of a utility's decision to shut off power under Pub. Util. Code §§ 451 and 399.2(a), and (2) reasonableness of a utility's efforts to provide notification and to mitigate the safety impacts of de-energization, after the utility has determined to shut off power under Pub. Util. Code §§ 451 and 399.2(a).

Regarding reasonableness of a utility's decision to shut off power under Pub. Util. Code §§ 451 and 399.2(a), past Commission decisions have consistently articulated the Commission's authority to review such utility decisions, and that the Commission may consider such factors as:

- necessity to protect public safety;
- the utility's reliance on other available alternatives;
- whether the utility reasonably believed there was an imminent and significant risk of strong winds causing major vegetation-related impacts on its facilities during periods of extreme fire hazard;
- the utility's efforts to mitigate the adverse impacts to its customers and communities in areas where the utility shut off power; and
- other factors as appropriate.

at 78-81; and D.19-05-042 at 9. Several decisions also state the same or similar phrase, such as Resolution ESRB-8, D.09-08-030, D.12-04-024, and D.20-05-051.

Implicit within the above factors, combined with the utilities' responsibility to promote safety under Pub. Util. Code §§ 451 and 399.2(a), are the notions, articulated in D.19-05-042, that the utilities must weigh the "benefit" of de-energization (*i.e.*, the reduced risk of harm from wildfires) against the potential public safety risks associated with shutting off power,⁶⁰ and that – because of the significant potential public safety risks associated with shutting off power -- the utilities must treat PSPS as a measure of last resort.⁶¹

Importantly, the question of whether to review the reasonableness of a utility's decision to shut off power is at the Commission's discretion, and because utilities have authority to shut off power under Pub. Util. Code §§ 451 and 399.2(a) and because such decisions are fact-specific, such review is conducted after the fact. The Commission has factors, as described above, that it may consider when reviewing the reasonableness of past decisions to shut off power; this is distinct, however, from establishing rigid triggers or criteria by which the utilities must abide to determine whether to shut off power. D.12-04-024 declined to adopt a "position that that SDG&E should be prohibited from shutting off power at wind speeds below 91 mph...It would be extremely dangerous to prohibit SDG&E from shutting off power when SDG&E reasonably believes there is an imminent danger of energized power lines falling onto tinder dry vegetation in Santa Ana wind conditions and there are no other safety measures available (e.g., automatic re-closers) to prevent a fire."⁶² While the Commission has not to date undertaken a review of the reasonableness of a utility's decision to call a PSPS event, the Commission can do so at any time.

⁶⁰ D.19-05-042, at 108 and Appendix A at A24.

⁶¹ D.19-05-042, at 69.

⁶² D.12-04-024 at 32.

Regarding reasonableness of a utility's efforts to implement a PSPS event, including providing notification and mitigating the safety impacts of de-energization after the utility has determined to shut off power under Pub. Util. Code §§ 451 and 399.2(a), the PSPS guidelines the Commission has established through Resolution ESRB-8, D.19-05-042 and D.20-05-051 are intended to enable Commission review of whether such implementation efforts were reasonable. Again, such review is likely so fact-specific that it is done after the fact, and again such review is at the Commission's discretion, but the Commission did express an intent to consider whether to develop "reasonableness criteria" in this proceeding.⁶³ In this context, however, "reasonableness" is more appropriately understood as the reasonableness of an IOU's PSPS implementation efforts. As part of this process, we clarify here that SED's role is to review past de-energization events to determine whether utilities complied with the PSPS guidelines and rules. For these reasons, going forward, we will refer to SED's review as a "compliance review," rather than a reasonableness review. Such determination of compliance will factor into any consideration by the Commission, at our discretion, of whether a utility's PSPS implementation efforts were reasonable. To the extent the PSPS guidelines do not allow staff to reach findings of compliance without having to resort to subjective determinations, further work may be needed to refine the guidelines so that staff has objective criteria by which to determine compliance.

This decision modifies the language in the Phase 1 guidelines and rules, adopted by D.19-05-042, to replace reference to "SED's reasonableness review" with "SED's compliance review." In response to comments raised by Cal

⁶³ D.19-05-042 at 109 and Appendix A at A25.

Advocates, this decision makes clear that a finding by SED that an IOU complied with PSPS guidelines and rules does not create a rebuttable presumption of reasonableness by an IOU, and an IOU may not raise a finding of compliance as an affirmative defense in any reasonableness review by the Commission.

5. Future Compendium of PSPS Guidelines and Rules

The need for a compendium that includes all the guidelines, rules, and regulations adopted by the Commission to guide IOU conduct before, during, and after PSPS events has been a priority for many parties since 2019. In comments to the February 19, 2021 Phase 3 scoping memo, a number of parties note that D.20-05-051 stated the Commission intended, as part of Phase 3 of this proceeding, to develop a General Order to codify the proactive de-energization guidelines contained in Resolution ESRB-8, D.19-05-042, and D.20-05-051. These parties emphasize the complexity and potential confusion resulting from having to refer to numerous different Commission documents to fully understand the Commission's PSPS guidelines and rules and, therefore, urge the Commission to follow through with consolidating all the guidelines and rules into one document. On March 29, 2021, the Joint CCAs and Central Coast Community Energy and Redwood Coast Energy Authority jointly filed a motion in this proceeding requesting the Commission to open an additional track in Phase 3 to develop a de-energization general order.

By this decision, we set forth a process for moving forward on this important matter and grant the March 29, 2021 motion, to the extent it requests the Commission to promptly consider this matter. We set forth a process for compiling all the rules and guidelines in a single document below. We agree that consolidating our various PSPS guidelines and rules is necessary and confirm

that it is our intent to do so, as quickly as possible after the issuance of this decision.

Because the purpose of this future consolidated document will be to maximize the ease of reference to all existing guidelines and rules that have already been adopted by the Commission, we intend to provide flexibility to Commission staff in determining how best to develop and update this document for that purpose (*i.e.*, ease of reference). We envision a process whereby a proposed set of guidelines and rules will be issued for party comment as part of a ruling by the Administrative Law Judge or the Assigned Commissioner. A workshop may also be helpful. After we review the comments and other input on the staff's draft compilation, we intend to revise the draft compilation of guidelines and rules and present a final consolidated set of guidelines and rules. Further work may also be needed to ensure the PSPS guidelines and rules provide staff with the necessary guidance from the Commission to review PSPS post-event reports for compliance with the Commission's guidelines and rules, as described in Section 4.

Therefore, this decision authorizes Commission staff to develop a compendium of the PSPS guidelines and rules contained in Resolution ESRB-8, D.19-05-042, D.20-05-051, this decision, and any other relevant decisions, rules or laws. It is our expectation that a draft compendium will be presented for comment in a ruling by the Administrative Law Judge or Assigned Commissioner after the issuance of this decision.

6. Phase 3 PSPS Guidelines and Rules

We address each section of the staff's proposal in sequential order; reference to a specific guideline/rule in the staff proposal, for example the first guideline/rule included in Section I of the staff proposal (Notifications), is

expressed as “guideline/rule I.1.” Except for the section addressing Definitions (Section D of the staff proposal, and Section 6.4 herein), we describe and reproduce the staff’s proposal, summarize party comments, discuss the staff’s proposal, and then provide the adopted guidelines and rules. For the section addressing Definitions, we address each proposed definition individually. We first address the preamble of the staff proposal.

The preamble of the staff’s proposed guidelines includes a directive to the IOUs to file two annual reports. The preamble to the staff’s proposal provides, in part, as follows:

- 2. Each electric investor-owned utility must submit a pre-season report no later than 60 days after the issuance of the Phase 3 final decision, then again annually by May 31.*
- 3. Each electric investor-owned utility must submit a post-season report annually, no later than January 31. The report must follow a template provided by the Safety and Enforcement Division (SED) no later than 60 days after the issuance of the Phase 3 final decision.*

These directives have been incorporated into the part of this decision addressing Reporting, at Section 6.11, herein.

6.1. Community Resource Centers

6.1.1. Staff Proposal

The staff proposal recommends additional requirements for the PSPS Guidelines regarding Community Resource Centers (CRCs), such as regularly updating the existing CRC plan, additional coordination with various communities on the locations of CRCs and the services provided at CRCs, additional resources to serve vulnerable members of the community, specific weather-related thresholds for establishing indoor or outdoor CRCs, and increasing the availability of information pertaining to the location and services at CRCs prior to a PSPS event.

The staff's proposal is as follows:

A. *Community Resource Centers (CRCs)*

1. *Each electric investor-owned utility must update and finalize its CRC plan (for both fixed facility and mobile locations) for inclusion in its pre-season report.*
2. *Each electric investor-owned utility must coordinate in advance with local and tribal governments to: (a) identify sites for CRCs, (b) the level of services that will be available at those centers, and (c) execute standing contracts in advance to ensure that CRCs can be opened quickly.*
3. *Each electric investor-owned utility must detail in its annual CRC plan how the CRCs will provide the services and supplies required to serve medical baseline and AFN populations as recommended by the respective local governments and health agencies.*
4. *Subject to current public health and safety protocols, each electric investor-owned utility must implement only indoor CRCs when the air quality index (AQI) for that area is projected to be or is at or above 101, which is the threshold AQI considered unhealthy for sensitive groups.*
5. *Subject to current public health and safety protocols, each electric investor-owned utility must establish 90% of its CRCs for indoor use, unless the AQI is projected to be or is at or above 101, in which case 100% of CRCs must be for indoor use.*
6. *Each electric investor-owned utility must make all CRC-location information publicly available and easily accessible on its respective de-energization webpage at least 24 hours before de-energization.*

6.1.2. Party Comments

Regarding staff's proposed guidelines on CRCs, PG&E states that, by allowing the IOU to utilize a combination of indoor and outdoor sites, at the utility's discretion, the Commission's existing rules increase the ability of the IOU to serve affected customers and enhance the IOU's ability to flexibly respond to evolving and variable conditions, while working in conjunction with

the needs and desires of local emergency management.⁶⁴ PG&E further states that if the rules mandate restrictive quantitative requirements, such as AQI thresholds, without flexibility around whether the IOU may open indoor or outdoor CRCs, the Commission could create unintended consequences detrimental to customers relying on CRCs.⁶⁵ PG&E states that a more flexible approach better balances the goal to protect customers from unhealthy air with the goal of providing CRC resources in easily accessible locations.⁶⁶

SCE suggests the Commission modify the staff's proposal so that IOUs are required to only provide services within their "purview and expertise as utilities."⁶⁷ SCE explains that the Commission should not require IOUs to provide at CRCs all services or supplies "recommended" by local governments or health agencies because that mandate extends beyond the IOU's mission to provide utility services.⁶⁸ SCE further states that the Commission should revise the staff's proposal to provide IOUs with flexibility in implementing indoor or outdoor CRCs, subject to the then-current public health and safety protocols.⁶⁹ SCE states that projected AQI levels should be one factor IOUs consider in selecting an indoor CRC versus an outdoor CRC but the guidelines should not reference a specific AQI threshold and minimum percentage of indoor CRCs.⁷⁰ SCE explains that the requirement to consider AQI is a positive revision but the

⁶⁴ PG&E Opening Comments at 3.

⁶⁵ PG&E Opening Comments at 3.

⁶⁶ PG&E Opening Comments at 3.

⁶⁷ SCE Opening Comments at 2.

⁶⁸ SCE Opening Comments 3.

⁶⁹ SCE Opening Comments at 8.

⁷⁰ SCE Opening Comments at 8.

Commission must give the IOUs flexibility to consider AQI as one of many factors in setting up CRCs so that IOUs can best ensure that the specific community's needs and all safety considerations are taken into account in these decisions.⁷¹ Additionally, SCE states that finding locations for CRCs in remote areas is particularly challenging and the AQI threshold increases this challenge.⁷² SCE also recommends that the Commission only require IOUs to post CRC locations 24 hours in advance of a PSPS event "when possible."⁷³

SDG&E generally supports the staff's proposed modifications to the CRC guidelines.⁷⁴ However, SDG&E recommends that, while strategies to support the medical baseline and AFN populations should be incorporated into the IOUs' CRC planning, the CRCs should not be a substitute for personal comprehensive emergency preparedness plans by the vulnerable populations.⁷⁵

Joint CCAs recommend modifying the staff's proposal to require IOUs to provide the level of service at CRCs determined necessary by local and tribal governments, rather than simply requiring "coordination" on the level of services provided.⁷⁶ Joint Local Governments states that IOUs should be required to consult with additional agencies, beyond those cited in the staff proposal, including local offices of emergency management and public health officials, when deciding on CRC locations and types, just as the IOUs did during

⁷¹ SCE Opening Comments at 10.

⁷² SCE Opening Comments at 10.

⁷³ SCE Opening Comments at 10.

⁷⁴ SDG&E Opening Comments at 2.

⁷⁵ SDG&E Opening Comments at 2.

⁷⁶ Joint CCAs Opening Comments at 3.

the 2020 and early 2021 proactive de-energization events.⁷⁷ Cal Advocates recommends the Commission adopt guidelines to require IOUs to report on CRC metrics, including usage metrics, customer feedback, and challenges faced when setting up and providing CRCs.⁷⁸ Cal Advocates suggests that these CRC metrics be provided annually, in a post-season annual report.⁷⁹

Rural Counties generally agrees with the staff's proposed CRC guidelines and states that the Commission should additionally require the IOUs to update their CRC plans annually, between PSPS seasons, and that coordination between the IOUs and local governments regarding CRCs is critical.⁸⁰ Rural Counties further suggests that the current hours of operation, which are 8 a.m. to 10 p.m., may be insufficient to meet the needs of medically sensitive residents who need to recharge medical devices during the evening hours (after 10 p.m.) and, for this reason, customers must be provided ample time to plan alternative ways to meet their electricity needs.⁸¹ Toward this end, Rural Counties supports the staff's proposal recommending that IOUs make CRC locations publicly available at least 24-hours before a PSPS event and further suggests that the Commission require IOUs to include the location of CRCs in customer PSPS notifications.⁸² In addition, Rural Counties states that, if IOUs close CRCs at 10 p.m., individuals, including the medically vulnerable who rely upon electricity for critical needs, may have nowhere to go, except for facilities with access to electricity open

⁷⁷ Joint Local Governments Opening Comments at 7.

⁷⁸ Cal Advocates Opening Comments at 9.

⁷⁹ Cal Advocates Opening Comments at 9.

⁸⁰ Rural Counties Opening Comments at 2.

⁸¹ Rural Counties Opening Comments at 2-4.

⁸² Rural Counties Opening Comments at 2-4.

during the night, such as hospitals or emergency rooms, and, therefore, the Commission should consider requiring some CRCs to be open 24-hours.⁸³ Rural Counties also points out that because IOUs may find private organizations with facilities appropriate for use as CRCs, the proposed guidelines should be modified to specify that contracts can be made with private entities, not just governmental or tribal entities.⁸⁴ Rural Counties agrees the IOUs should detail how their CRCs will provide recommended services and supplies in an annual report.⁸⁵

Abrams states that increased coordination between IOUs and governments is critical but the Commission must focus on the exact type of coordination needed and clearly define the roles and responsibilities.⁸⁶ For example, Abrams suggests CRC Service Level Agreements must be defined to ensure IOU accountability (or government accountability) so that ratepayers know who is responsible for what in terms of the CRCs.⁸⁷ Abrams agrees with other parties that simply using AQI for determining the suitability of indoor versus outdoor CRCs is too narrow of an analysis and the IOU's decision must also consider high heat and high wind measures by relying on specific metrics, such as the National Weather Service's definition of "Excessive Heat Warning" as having a heat index of 105-degree F or greater that will last 2 hours or more.⁸⁸ Overall, Abrams suggests that the Commission direct the IOUs to use at least three

⁸³ Rural Counties Opening Comments at 3.

⁸⁴ Rural Counties Opening Comments at 3-4.

⁸⁵ Rural Counties Opening Comments at 4.

⁸⁶ Abrams Opening Comments at 5.

⁸⁷ Abrams Opening Comments at 6.

⁸⁸ Abrams Opening Comments at 6-7.

measurements (temperature, wind, and air quality) to set an interdependent threshold to establish when CRCs should be indoors or outdoors.⁸⁹ Regarding the location of CRCs, Abrams states that giving 24 hours' notice of the location of the CRC, as recommended by the staff's proposal, is insufficient because some customers must engage in extensive planning to safely get to a CRC during a PSPS event.⁹⁰ Abrams suggests no reasons exist that IOUs cannot announce locations of CRCs far in advance, at least prior to wildfire season, to prepare customers and that waiting for adverse conditions is the wrong time to provide this information to customers.⁹¹ Abrams points out that pre-defined evacuation routes and shelters exist for other disaster scenarios and should so be available for CRCs and PSPS events.⁹²

6.1.3. Discussion

The staff's proposed guidelines regarding CRCs offered a number of revisions and additions to the existing directives for consideration by parties. In response to comments by parties on the staff's proposal, we modify the staff's proposal to clarify our intent that CRCs must be community oriented, broadly accessible, and serve the safety needs of access and functional needs and vulnerable populations.⁹³ We also modify the staff's proposal to enhance the decision-making process by IOUs concerning the location and services provided at CRCs, improve the ability of customers to access electricity when CRCs are

⁸⁹ Abrams Opening Comments at 7.

⁹⁰ Abrams Opening Comments at 7.

⁹¹ Abrams Opening Comments at 7.

⁹² Abrams Opening Comments at 7-8.

⁹³ D.20-05-051, Appendix A at 5, states that one of the purposes of CRCs must be to provide services to "access and functional needs and vulnerable populations."

closed at 10 p.m., increase the transparency of the location and services provided at CRCs by adopting additional reporting requirements, and clarify the relationship between local jurisdictions and IOUs when establishing the details pertaining to CRCs.

First, we address the staff's proposal to "update" CRC plans and to include these plans with the annual "pre-season report." By way of background, in D.20-05-051, the Commission required utilities to "finalize" CRC plans before the expiration of 60 days following the effective date of that decision, May 28, 2020.⁹⁴ However, the Commission did not adopt any requirements that the IOUs prepare future CRC plans, such as updates or revisions to this initial CRC plan required in D.20-05-051.⁹⁵ Furthermore, in D.20-05-051, the Commission stated that the IOUs "shall finalize" a CRC plan by a set deadline but did not adopt any provisions directing the IOUs to file or submit these CRC plans to the Commission.⁹⁶

To build upon the current requirements and increase the transparency around CRCs, we adopt the staff's proposal that IOUs annually prepare updates to the CRC plans required in D.20-05-051. We additionally require the filing (rather than only the preparation, per D.20-05-051) of these updated CRC plans. The IOUs will file their annual CRC plans as part of an annual report, the [current year] Pre-Season Report, required herein and addressed in Section 6.11. This filing requirement will again enhance transparency around CRCs. The Commission and stakeholders should be better able to track important issues related to the IOUs' provision of services and the locations of CRCs before PSPS

⁹⁴ D.20-05-051 at Conclusion of Law 25.

⁹⁵ D.20-05-051, Appendix A at 5-6.

⁹⁶ D.20-05-051, Appendix A at 5.

events occur and, in addition, evaluate the effectiveness of CRCs after the PSPS events.

We also modify the staff's proposal to specify that IOUs are required to coordinate (and use "best effort," as noted below) with a broader group of entities than recommended in the staff's proposal when deciding in advance of PSPS events on the location and the extent of the services to be provided at the CRCs. The staff's proposal recommended that IOUs "must coordinate in advance with local and tribal governments" on certain details, such as the location, and resources provided. Based on comments by parties, we find that additional entities should be specified as included in the directive for advanced coordination, notably local offices of emergency management and public health officials.

With regard to the CRC plans, we point out that the Commission required in D.20-05-051 that IOUs consult with specific entities when preparing CRC plans, including "regional local government, Advisory Boards, public safety partners, representatives of people/communities with access and functional needs, tribal representatives, senior citizen groups, business owners, community resource organizations, and public health and healthcare providers."⁹⁷ The staff's proposal only refers to "respective local governments and health agencies" when describing the entities IOUs must consult with in preparation of these plans. Therefore, we clarify that all the above entities are included in the staff's proposal and modify the proposal accordingly to ensure that IOUs and

⁹⁷ D.20-05-051, Appendix A at 5.

stakeholders understand their respective roles and responsibilities pertaining to the required “consultation” when preparing these plans.⁹⁸

In today’s decision, we also specify additional entities, in addition to those identified in the staff’s proposal, that IOUs must consult with when IOUs decide the actual locations of CRCs and actual services provided (in contrast to the preparation of the CRC plans) in advance of a PSPS event. In response to comments by parties, we adopt the staff’s proposal that recommends that certain entities, i.e., local and tribal governments, be consulted about the actual locations and services provided at CRCs, and we include additional entities that IOUs must consult with in this regard. The IOUs’ responsibility to consult with specific entities regarding the actual locations of CRCs and actual services provided at the CRCs (not the CRC plans) in advance of a PSPS event will also include local offices of emergency management and public health officials so that the decision-making of the IOUs is enhanced to consider the concerns of these entities.

In response to comments regarding the actual services provided by IOUs at CRCs, we revise our discretionary statement in D.20-05-051 that IOUs should provide, at a minimum, certain services to make it mandatory. We revise the following language in D.20-05-051 by replacing "should" with “must:” “CRCs *should*, at a minimum, provide device charging stations that are capable of powering medical devices, cellular network services, water, chairs, PSPS information representatives, and restrooms.”⁹⁹ We find that these services are

⁹⁸ D.20-05-051, Appendix A at 5.

⁹⁹ D.20-05-051, Appendix A at 6.

basic necessities during PSPS events and *must* be provided at CRCs. This revision is noted below.

In response to comments by parties that, while advance contracts for CRCs would be beneficial, as recommended by the staff's proposal, we agree that additional contracting opportunity for CRCs might be needed. Therefore, we modify the language in the staff's proposal that IOUs contract, in advance, with local governments and tribes for CRCs to include language to open the contracting opportunities in advance of fire season to any entity or individual with a suitable location and space.

Regarding the staff's proposal that IOUs abide by certain pre-determined weather-related thresholds to decide whether indoor or outdoor CRCs are appropriate, we find that IOUs and some parties provide sufficient reasons to provide IOUs with more discretion and flexibility than the staff's proposal to account for the possibility of rapidly changing weather and environmental conditions leading up to a PSPS event and to better protect the public safety in a changing environment. Therefore, we do not adopt specific thresholds recommended by the staff's proposal. Instead, consistent with recommendations by several parties, we direct IOUs to consider a number of factors, including, at a minimum, temperature, wind, and air quality, as part of the IOU's overall decision-making process on whether to open CRCs inside, outside, or both. In addition, we direct IOUs to consult all applicable safety guidelines when making this decision to ensure that vulnerable individuals are considered within the potentially rapidly changing weather and air quality conditions.

In response to requests by parties to direct IOUs to make CRCs available 24 hours during PSPS events (all day and all night) to provide access to critical services and resources for the medically vulnerable, we decline to adopt such a

directive at this time. In making this decision, we seek to balance the concerns expressed by IOUs regarding the overall wellbeing of their staff, who are not trained to work night shifts and have limited skills in providing 24-hour services to the medically vulnerable, with the serious concerns expressed by parties regarding the needs of the medically vulnerable, especially the potential need for electricity by the medically vulnerable during all hours of the day and night. At this time, we do not require IOUs to make CRCs available 24 hours but do direct IOUs to proactively inform the public of where the public can access electricity during the hours the CRC is closed. In adopting this directive, we take into consideration the assertions by the IOUs that IOUs are not best positioned to create personal emergency preparedness plans for the medically vulnerable members of the community. While utilities must do more to prepare communities, including access and functional needs and vulnerable populations, for PSPS events, we urge all stakeholders and governments to continue their ongoing work with communities and these individuals so that emergency preparedness plans for access and functional needs and vulnerable populations are in place for the potential of customers facing multiple days without electricity during a PSPS event. If our directive that IOUs must proactively inform the public of the availability of facilities with electricity when the CRCs are closed does not sufficiently mitigate this concern regarding the medically vulnerable, we will revisit the required hours of operation of CRCs.

While we adopt additional protections for the medically vulnerable, we remain concerned that community members vulnerable to health problems in the absence of electricity receive access to power and other services needed to maintain their health and wellbeing. The IOUs claim they need flexibility in establishing the services available at each CRC but we find an overriding need to

further protect the medically vulnerable, and more broadly people/communities with access and functional needs. Therefore, we strengthen the staff's proposal that utilities *must coordinate* with local governments, tribal governments, local offices of emergency management, and public health officials to establish the services provided at CRCs to also require that IOUs *shall make best efforts to agree* with local governments, tribal governments, local offices of emergency management, and public health officials on what services and resources should be provided by the IOU at CRCs. This modification is reflected below.

Regarding whether the IOUs should be directed to provide information to the public on the locations of the CRCs and the services provided in advance of PSPS events, we agree with parties that more information should be provided to the public on actual or potential locations of CRCs and that this information should be provided, at least on a general level, far in advance of fire season and again immediately upon the IOU's decision to open a particular CRC when a PSPS event is imminent. When a PSPS event is imminent, the IOU must provide updated information to the public on the exact location and services to be provided via text, website, media alert, and any other available means. We further find that, to enable customers to understand which CRC locations are nearest to them, the IOUs must incorporate a search function into their websites that enables customers to quickly search, for example, which CRCs are located within one mile, five miles, or 10 miles of a customer's address. These modifications to the staff's proposal are reflected below.

Lastly, regarding the issue raised by parties of the need for additional reporting metrics on CRCs, we find that additional reporting will enhance the Commission's and the public's understanding of CRCs and bring issues, problems, and areas in need of improvements regarding CRCs to the forefront

for resolution on a more timely basis. On this topic of reporting, Cal Advocates specifically recommends IOUs provide additional CRC usage metrics, customer feedback, and identify any challenges faced when setting up and providing CRCs. We incorporate the requirement that these and other metrics for the prior year be reported by IOUs on an annual basis, as part of the CRC plan. We also find that some metrics might be relevant to include in post-event reports. We further address reporting requirements in Section 6.11, below. We direct the IOUs to immediately start to work with SED to further define what information and data should be included when the IOUs report “usage metrics” for CRCs in the annual CRC Plans, and we authorize SED to provide the IOUs with specific directions on this reporting requirement. We also authorize SED to include CRC metrics in the forthcoming post-event reporting template, if deemed useful by SED.

The adopted guidelines and the modifications to the staff proposal, with additions (underlined) and removals (strikeout), are set forth below.

6.1.4. Adopted Guidelines and Rules

A. Community Resource Centers (CRCs)

1. ~~Each e-~~Electric investor-owned utilities must, on an annual basis, update ~~and finalize its~~ CRC plans (for both fixed facility and mobile locations) for inclusion in its ~~pre-season~~ the [current year] Pre-Season Report. ~~report.~~
2. ~~Each~~In advance of fire season, electric investor-owned utilities ~~y~~ must coordinate and make best efforts to agree in advance with local governments, ~~and~~ tribal governments, local offices of emergency management, and public health officials on: ~~to~~ (a) ~~identify the potential sites~~ for CRCs, (b) the services the utility will provide at the CRCs, and (c) where to access electricity during the hours the CRC is closed. ~~the level of services that will be available at those centers,~~ and (e) Electric investor-owned

utilities must execute standing contracts with entities or individuals, including, but not limited to, local or and tribal governments, in advance of fire season to ensure that CRCs can be opened quickly.

3. Each e-Electric investor-owned utilities y must each file a CRC plan on an annual basis. The annual CRC Plan must detail in its annual CRC plan how the utility CRCs will provide the services and supplies required to serve medical baseline and AFN populations as recommended by the respective local and tribal governments and health agencies by regional local government, Advisory Boards, public safety partners, representatives of people/communities with access and functional needs, tribal representatives, senior citizen groups, business owners, community resource organizations, and public health and healthcare providers. In the annual CRC Plans, the utilities must set forth the specific recommendations made by the above-noted entities, whether the utilities adopted the recommendation (or did not adopt the recommendation), the reason it was adopted (or not adopted), and the timeline for implementation.
4. After considering Subject to applicable current public health and safety protocols, each electric investor-owned utilities y must implement either indoor, outdoor, or both types of CRCs after taking into consideration, at a minimum, only indoor CRCs when the projected air quality index (AQI), the projected temperatures, and the projected wind speeds for that area is projected to be or is at or above 101, which is the threshold AQI considered unhealthy for sensitive groups.
5. Subject to current public health and safety protocols, each electric investor owned utility must establish 90% of its CRCs for indoor use, unless the AQI is projected to be or is at or above 101, in which case 100% of CRCs must be for indoor use.
65. Each e-Electric investor-owned utilities y must make all comprehensive CRC-location information, including

potential or actual locations, publicly available and easily accessible and accessible with searchable functions, on its respective a de-energization webpage in advance of fire season. Prior to a PSPS event, immediately after the utility decides on the locations of the CRCs to open during the PSPS event, the utility must provide notice to customers of the locations of the CRCs, the services available at each CRC, the hours of operation of each CRC, and where to access electricity during the hours the CRC is closed. at least 24 hours before de-energization. This notice must be provided in all available means, including, but not limited to, text messages and on the utilities' websites. Notice must conform with the required language and accessibility requirements for notices, in general, for PSPS events, as set forth in these guidelines. The utilities must make the actual locations of CRCs accessible by customers through a searchable function on their websites.

6. Electric investor-owned utilities must include, as part of their CRC Plans, metrics for the prior year regarding CRCs, including, but not limited to, usage metrics and customer feedback, and identify any challenges faced when setting up and providing CRCs. The utilities are directed to work with the Commission's Safety and Enforcement Division to develop usage metrics that must be included in the CRC Plans. The Safety and Enforcement Division is also authorized to require utilities to provide CRC metrics in post-event reports.

7. **Modification to D.20-05-051 (Appendix A at 6):**

Electric investor-owned utilities' CRCs ~~must~~ should, at a minimum, provide device charging stations that are capable of powering medical devices, cellular network services, water, chairs, PSPS information representatives, and restrooms.

6.2. Critical Facilities and Infrastructure

6.2.1. Staff Proposal

The staff proposal recommends additions to the PSPS guidelines pertaining to “critical facilities and infrastructure,” including directives to IOUs to create a specific webpage about critical facilities and infrastructure that explains how customers may apply to be designated as a critical facilities and infrastructure and submit an annual critical facilities and infrastructure plan. Separately, the staff proposal recommends modifications to the definition of critical facilities and infrastructure to expand the designation to include additional entities. We address this recommendation regarding the definition at Section 6.4, herein.

The staff proposal we address now is:

B. Critical Facilities and Infrastructure

- 1. Each electric investor-owned utility must create a webpage accessible from its de-energization main page that explains the requirements to qualify as a “critical facility” and links the reader to an explanation of the application process to add new critical facilities.*
- 2. Each electric investor-owned utility must provide a critical facilities plan in its pre-season report.*

6.2.2. Party Comments

In response to the staff’s proposal, PG&E states it currently has a process in place to identify critical facilities and infrastructure and that further explanations on the website or elsewhere are not needed.¹⁰⁰ Instead, PG&E states that the guidelines should be modified to align with the existing definition of critical facilities and infrastructure, which, according to PG&E, appropriately identifies locations that are critical for emergency response and supporting

¹⁰⁰ PG&E Opening Comments at 5.

health, welfare, and communications.¹⁰¹ SCE agrees that the “self-certification” process recommended by the staff’s proposal is not needed and will cause confusion.¹⁰² SCE states it plans to share lists of critical facilities and infrastructure, in connection with specific PSPS events, on its new public safety partner secure web portal currently being constructed.¹⁰³ SCE notes that providing lists of critical facilities and infrastructure without any relationship to an actual PSPS event, such as in advance of fire season, may raise data privacy concerns.¹⁰⁴ SDG&E supports submitting a critical facilities and infrastructure plan and creating a webpage to explain the requirements to be designated as critical facilities and infrastructure but does not support permitting customers to submit a web-based application to apply to be designated as “critical facilities and infrastructure” due to potential confusion of what is and is not eligible.¹⁰⁵ SDG&E points out that staff’s proposed application process could result in misunderstandings, disputes, and disagreements with how SDG&E evaluates the application and whether or not SDG&E designates the customer as a critical facilities and infrastructure.¹⁰⁶ Ultimately, according to SDG&E, these difficulties would not promote public safety.¹⁰⁷

Acton Town Council supports the staff proposal to direct IOUs to create a webpage with information on qualifying, for purposes of PSPS, as critical

¹⁰¹ PG&E Opening Comments at 5.

¹⁰² SCE Reply Comments at 7.

¹⁰³ SCE Reply Comments at 7.

¹⁰⁴ SCE Reply Comments at 7.

¹⁰⁵ SDG&E Opening Comments at 4.

¹⁰⁶ SDG&E Opening Comments at 4.

¹⁰⁷ SDG&E Opening Comments at 4.

facilities and infrastructure but states that the staff's proposal to create a webpage does not sufficiently identify the purpose or intent of the critical facilities and infrastructure plan (or describe what such a plan would address and why).¹⁰⁸ Acton Town Council suggests that the Commission first clarify the purpose, scope, and extent of this proposed critical facilities and infrastructure plan.¹⁰⁹ Acton Town Council also suggests that any adopted plan reflect recommendations made by the 2019 SED Report that IOUs comprehensively identify critical facilities and infrastructure and, in addition, assess their need for extended backup power.¹¹⁰ EPUC supports the inclusion of a critical facilities and infrastructure plan in a pre-season report.¹¹¹ CSAC states that the staff's proposal should be modified to reflect the obligation of IOUs to provide, upon request, lists of critical facilities and infrastructure to local jurisdictions.¹¹² Joint CCAs state that staff's proposal, which recommends the submission of a critical facilities and infrastructure plan with an annual report, must be improved by identifying specific reporting requirements, including the following: (1) an updated list of critical facilities and infrastructure within the IOU's service area (provided confidentially to the Commission); (2) an overview of the critical facilities and infrastructure within the IOU's service area; (3) a description of the methodology used to identify critical facilities and infrastructure; (4) any significant changes in the critical facilities and infrastructure customers identified in the IOU's service area since the prior report; and (5) the process relied upon by

¹⁰⁸ Acton Opening Comments at 19.

¹⁰⁹ Acton Town Council Opening Comments at 19.

¹¹⁰ Acton Town Council Opening Comments at 19.

¹¹¹ EPUC Opening Comments at 5.

¹¹² CSAC Opening Comments at 1.

the IOU for maintaining primary and secondary direct contacts for these customers.¹¹³

Joint Local Governments state that the Commission should revise the staff proposal to require IOUs to consult with local jurisdictions regarding the frequency of updates to the critical facilities and infrastructure lists during fire season, which the Joint Local Governments suggest should be at least monthly, and further require IOUs to keep an updated list on their websites or public safety partner secure web portals.¹¹⁴ NCPA supports the staff's proposal to provide critical facilities and infrastructure the ability to "self-certify" via a website but states that the proposal must be revised to direct the IOUs to collaborate with publicly-owned utilities and electric cooperatives that are transmission-connected customers of the IOUs so that the IOUs understand the critical facilities and infrastructure within the service territories of those publicly-owned utilities and electric cooperatives.¹¹⁵ NCPA further states that the evaluation by the IOU, required by the Commission, of the known or foreseeable adverse impacts to be balanced against the wildfire risks must include critical infrastructure and facilities located in the service territory of any publicly-owned utility or electric cooperative that is subject to the IOU's proactive de-energization.¹¹⁶ Therefore, NCPA states the proposal must be modified to require this coordination and understanding between the IOUs, publicly-owned utilities, and electric cooperatives.¹¹⁷

¹¹³ Joint CCAs Opening Comments at 4.

¹¹⁴ Joint Local Governments Opening Comments at 7.

¹¹⁵ NCPA Opening Comments at 4.

¹¹⁶ NCPA Opening Comments at 4.

¹¹⁷ NCPA Opening Comments at 4.

Cal Advocates states that the staff's proposal should be modified to clarify which of the recommended reporting requirements are new, which already exist, and identify the prior Commission decision, if any, that established these reporting rules.¹¹⁸ Rural Counties supports the ability of customers to "self-certify" as critical facilities and infrastructure and states that any pre-season annual reports should include the number of requests to self-certify in the current and the prior years received by IOU, whether the IOU accepted or denied the request, and the reasons for any denial.¹¹⁹

Rural Counties states additional clarity is needed on the purpose and requirements of the critical facilities and infrastructure plan and suggests outlining the Commission's expectations, including a requirement that the IOUs regularly reconcile their critical facilities and infrastructure lists with local jurisdictions and provide an annual update on the IOUs' efforts to actively partner with critical facilities and infrastructure to prepare for PSPS events.¹²⁰ Rural Counties further states that any critical facilities and infrastructure plans must include a description of the IOU's efforts to partner with critical facilities and infrastructure, the IOU's efforts to assess backup power needs of critical facilities and infrastructure, and the IOU provision, if any, of backup power to critical facilities and infrastructure.¹²¹

Abrams states that the staff's proposed guidelines for critical facilities and infrastructure plans are too vague and fail to sufficiently increase the level of transparency and completeness of information necessary to protect critical

¹¹⁸ Cal Advocates Opening Comments at 6.

¹¹⁹ Rural Counties Opening Comments at 5.

¹²⁰ Rural Counties Opening Comments at 5.

¹²¹ Rural Counties Opening Comments at 5.

facilities and infrastructure. For example, Abrams states that to increase transparency and provide needed information to local jurisdictions to support IOUs in protecting critical facilities and infrastructure, the Commission should direct the IOUs to provide maps of sectionalization devices and a functional description of these devices.¹²²

6.2.3. Discussion

After reviewing the comments on the staff proposal, we adopt the proposal with a number of modifications. Below we address the aspects of the staff proposal which recommend a utility webpage with information about critical facilities and infrastructure and an explanation of how customers can be designated as critical facilities and infrastructure. We also address the staff proposal that IOUs submit an annual plan addressing critical facilities and infrastructure in the IOU's service territory.

As noted above, parties presented a number of different positions on whether the Commission should require IOUs to create a webpage specifically designed for critical facilities and infrastructure. Generally, all parties agree that providing additional information to the public about how to be designated as a critical facilities and infrastructure customer would promote public safety related to PSPS events but parties held various opinions on the best way to achieve this goal. Overall, we are persuaded to adopt the staff proposal to direct IOUs to develop a webpage providing additional information about critical facilities and infrastructure because we find it will promote a better understanding by customers of what constitutes a critical facilities and infrastructure customer. In addition, we agree with the suggestion by Acton Town Council to include on this

¹²² Abrams Opening Comments at 8.

webpage the reasons why the designation as a critical facilities and infrastructure customer may be important before, during, and after a PSPS event. Similarly, we agree with Cal Advocates that the Commission should provide more detail to IOUs on any further required content to be included on this webpage.

Furthermore, regarding the staff's proposal to include a process or application on this webpage for customers to "self-certify" as a critical facilities and infrastructure customer, we find merit in the concerns of IOUs that this process might cause confusion and, possibly, misunderstandings between IOUs and customers. Rather than adopt this aspect of the staff proposal, we prefer to revise our guidelines to require documentation of the IOUs' outreach to customers about whether customers should be designated as a critical facilities and infrastructure customer so that, with this documentation, the Commission may better monitor the effectiveness of efforts by the IOUs to identify critical facilities and infrastructure customers.

Regarding the content of the webpage and to promote outreach, we also direct the IOUs to include specific information on this webpage explaining how customers can promptly and directly contact the correct person at the IOU to determine whether the customer should be designated as a critical facilities and infrastructure customer.

We are also mindful of the concerns raised by NCPA and Rural Counties, in supporting the ability of critical facilities and infrastructure customers to "self-certify." Raising an issue of critical import, NCPA and Rural Counties emphasize the need for IOUs to collaborate with publicly-owned utilities and electric cooperatives that are IOU transmission-connected customers so that the IOUs understand the critical facilities and infrastructure within the service territories of those publicly-owned utilities and electric cooperatives. We further

address this issue when we discuss the staff's proposed definition of transmission-level customers in Section 6.4.7, herein. Based on the critical connection between IOUs, transmission-level customers, and the critical facilities and infrastructure of these transmission-level customers, we revise the staff proposal to include a directive to collaborate with transmission-level customers, such as publicly-owned utilities and electric cooperatives, and report on these efforts in the IOU's critical facilities and infrastructure plan. We acknowledge, however, that IOUs do not have authority over the customers, including any critical facilities and infrastructure, of the IOUs' transmission-level customers.

Parties generally agree that an annual plan by the IOUs regarding critical facilities and infrastructure would enhance the safety of PSPS events. We agree but also note the comments by parties, such as Acton Town Council, Rural Counties, Cal Advocates and Abrams, that the Commission should provide more guidance on the information IOUs must include in these plans. For example, we agree with Acton and Rural Counties that IOUs must comprehensively identify critical facilities and infrastructure and assess the need for extended backup power in these plans. The Joint CCAs recommend additional topics that IOUs should address in these annual plans and we find all these topics relevant. Therefore, we modify the staff's proposal to include these topics in the newly adopted annual plan. The utilities are not required to disclose the location of telecommunications facilities.

Regarding the issue of lists, we agree with parties, such as CSAC, that the IOUs must, upon request, provide lists of critical facilities and infrastructure customers to governments and other similar entities, as noted below, to ensure that the IOUs and governments mutually understand how the safety needs of critical facilities and infrastructure customers have been addressed. However, to

maintain a higher level of efficiency regarding IOU efforts to compile these lists and accommodate the vast numbers of entities that fall within the definition of critical facilities and infrastructure, we only require the IOUs to make these lists available on their secure PSPS web portals and not in any other format, such a paper lists. The utilities are not required to disclose the location of telecommunications facilities.

Regarding updates to these lists, we agree with Joint Local Governments that IOUs must regularly update these lists and, therefore, we revise the staff's proposal to direct IOUs to update these lists, at a minimum, on a monthly basis and to post the updated lists on the secure PSPS web portal.

By providing more specific directives to IOUs on, among other things, creating a webpage for critical facilities and infrastructure, the topics that must be addressed in the critical facilities and infrastructure plans, and requiring lists, updated on a regular basis, of critical facilities and infrastructure, we intend to enhance the cooperation between IOUs and customers designated as critical facilities and infrastructure and, in this manner, promote the safety of all customers.

6.2.4. Adopted Guidelines and Rules

B. Critical Facilities and Infrastructure

1. Each electric investor-owned utility must create a webpage accessible from its PSPS de-energization main page that includes the Commission's definition of critical facilities and infrastructure, the reasons it is important for customers to be designated as such in the event of a PSPS, and the name and contact information, including email address, of the person at the utility responsible for handling inquiries about whether a customer should be designated as critical facilities and infrastructure. explains the requirements to qualify as a "critical facility" and links

~~the reader to an explanation of the application process to add new critical facilities.~~

2. Each electric investor-owned utility must provide a critical facilities and infrastructure plan in an annual report filed in R.18-12-005 or successor proceeding, referred to herein as the [current year] Pre-Season Report. ~~pre-season report.~~ This annual plan shall include, at a minimum, the following: (1) a list of critical facilities and infrastructure within the utility's service area (which may be provided on a confidential basis); (2) a description of the methodology the utility uses to identify critical facilities and infrastructure; (3) any changes in the critical facilities and infrastructure identified in the utility service area since the prior annual report; (4) the process used by the utility to maintain and update primary and secondary direct contacts for critical facilities and infrastructure; (5) an explanation of how the utility collaborates with transmission-level customers of the utility (as the term transmission-level customer is defined herein) so that the utility understands the critical facilities and infrastructure within the service territory of those transmission-level customers; (6) the number of requests from customers to be designated as critical facilities and infrastructure in the current year and the prior year, whether the utility accepted or denied the request, and the reasons for any denial; and (7) efforts by the utility to assess backup power needs of critical facilities and infrastructure, provision of backup power by the utility to critical facilities and infrastructure, and the terms under which the utility provided backup power to critical facilities and infrastructure. The Commission's Safety and Enforcement Division is authorized to require the utilities to include additional topics in this plan.
3. Electric investor-owned utilities must include lists on their PSPS secure web portal of all critical facilities and infrastructure customers and update these lists on the secure web portal regularly, at least monthly. As part of the process to update these lists, the utility shall consult

with local and tribal governments to ensure that the utility and local and tribal governments mutually understand the identity of critical facilities and infrastructure customers in the utility service territory and the safety needs of the critical facilities and infrastructure customers related to PSPS events. Upon request, a utility shall provide access to such lists on its PSPS secure web portal to local and tribal governments, subject to any applicable confidentiality laws.

6.3. PSPS Exercises

6.3.1. Staff Proposal

The staff proposal recommends certain changes to the existing guidelines pertaining to activities associated with PSPS simulations for purposes of testing and improving PSPS events. The staff proposal refers to these simulation exercises as “de-energization exercises.”

By way of background, in D.19-05-042 and D.20-05-051, the Commission adopted a number of specific requirements for what we referred to then as “de-energization exercises.” In this decision, we change the term we use to refer to these exercises to “PSPS exercises” to reflect our understanding that these simulation exercises cover a broader range of topics, including, for example, notice before the power is shut off, than may be associated with just the “de-energization” itself.

In prior decisions, the Commission has also referred to these simulation exercises as “communication exercises.” In D.19-05-042, the Commission required IOUs to conduct “communication exercises” two months before wildfire season with various entities, including public safety partners, the Commission, Cal OES, and CALFIRE to ensure the accuracy of contact lists for

these entities and customers.¹²³ In D.20-05-051, the Commission expanded this initial directive to require IOUs to engage in these simulation exercises and also coordinate with various entities to plan these exercises before wildfire season; to measure the successes and failures of these exercises in terms of notice, the use of emergency operations centers, the provision of CRCs, and other matters; to report lessons learned from the exercises to participants and relevant customers; and to utilize the lessons learned to improve implementation of future PSPS events.¹²⁴ The staff's proposal adds to the existing guidelines and rules by recommending additional reporting by IOUs related to PSPS exercises and requiring a minimum number of such exercises annually.

The staff's proposal, regarding what we now refer to as "PSPS exercises," is set forth below.

C. De-energization Exercises

- 1. The existing guideline requiring each electric investor-owned utility to plan de-energization simulation exercises is modified to require such plan to be included in the utility's pre-season report.*
- 2. Each electric investor-owned utility must conduct de-energization simulation exercises no later than 60 days after the issuance of the Phase 3 final decision, then again at least annually by July 1 using the same channels of decision-making, knowledge transfer, implementation, and communication that would be used in the event of a de-energization.*

¹²³ D.19-05-042 at 79-80.

¹²⁴ D.20-05-051 at 21-22 and 80-81.

6.3.2. Party Comments

In response to the staff's proposal on PSPS exercises, PG&E states it generally supports the proposal.¹²⁵ Likewise, SCE supports the staff's proposal but recommends certain clarifications about the timeframe within which these exercises must be held.¹²⁶ SCE also states that if the Commission expects IOUs to incorporate the new PSPS guidelines and rules adopted in this decision into its 2021 PSPS exercises, it will be very difficult, if not impossible, to plan and conduct the exercises incorporating all the new requirements within 60 days, the deadline proposed by staff.¹²⁷ SDG&E supports the staff proposal and suggests the PSPS exercises take place around August to ensure IOUs have sufficient time to incorporate lessons learned and integrate any new regulatory rules prior to fire season.¹²⁸ SDG&E also suggests that these exercises include local governments and tribal jurisdictions.¹²⁹

In response to this proposal, Acton Town Council suggests that adopting PSPS exercises will only serve to "normalize" PSPS events, which should be strictly temporary.¹³⁰ CSAC states the Commission should modify the staff proposal by adding the requirement that IOUs "coordinate with local public agencies" as part of these exercises.¹³¹ CforAT states it previously recommended including, as part of these exercises, a directive to IOUs to practice how to

¹²⁵ PG&E Opening Comments at 6.

¹²⁶ SCE Reply Comments at 7-8.

¹²⁷ SCE Reply Comments at 7-8.

¹²⁸ SDG&E Opening Comments at 4.

¹²⁹ SDG&E Reply Comments at 2.

¹³⁰ Acton Town Council Opening Comments at 6.

¹³¹ CSAC Opening Comments at 2.

respond to individuals with medical needs who face harm during an extended electricity outage and to address the transportation needs of individuals without private cars.¹³² Disability Rights and Joint Local Governments support CforAT's recommendations.¹³³ Joint Local Governments also state the Commission should require the IOUs to participate in table-top exercises, if requested, with the Operational Areas in their service territories.¹³⁴ Joint Local Governments further explain that Operational Areas should hold their own table-top exercises for de-energization events, in accordance with emergency management best practices, and IOUs should be required to send the local governments' public safety specialists and other utility staff responsible for working with or providing information to local governments during de-energization events to participate in those exercises.¹³⁵

NCPA states PSPS exercises are critical for transmission-level customers and supports the proposed guidelines but emphasizes that the Commission must ensure the IOUs comply with the guidelines.¹³⁶ NCPA further emphasizes that the Commission must ensure that, as part of these exercises, IOUs grant access to their PSPS secure web portals, to all public safety partners, in a timely fashion.¹³⁷ NCPA states it is critical that the access and interface to secure web portals be established well before the onset of the most critical fire season and that the IOUs include procedures for testing public safety partner access and interface as part

¹³² CforAT Opening Comments at 12-13.

¹³³ Disability Rights at Reply Comments at 5; Joint Local Governments Reply Comments at 6.

¹³⁴ Joint Local Governments Opening Comments at 9.

¹³⁵ Joint Local Governments Opening Comments at 9.

¹³⁶ NCPA Opening Comments at 5.

¹³⁷ NCPA Opening Comments at 6.

of their de-energization exercises.¹³⁸ Additionally, NCPA states that IOU PSPS exercises should include coordination for “mutual aid” during PSPS events and through the re-energization and restoration phase of the PSPS event with the goal of mitigating, reducing, and diminishing the scope of the PSPS events.¹³⁹ NCPA emphasizes that enforcement of the requirement for IOUs to engage in PSPS exercises is needed by the Commission because IOUs are not complying.¹⁴⁰

CLECA states IOUs should actively engage in simulation exercises with Cal OES, public safety partners, governments, and others.¹⁴¹ EPUC states that both table-top and functional exercises are needed and must be required of IOUs.¹⁴² Santa Clara County agrees that the Commission should require IOUs to participate in table-top exercises, if requested, with the Operational Areas in their service territories to work through de-energization scenarios together with emergency operations centers.¹⁴³ Similarly, Joint Local Governments and Joint CCAs agree that table-top exercises would be helpful.¹⁴⁴

Cal Advocates states further clarity is required about what the guidelines currently require for PSPS exercises and what is newly adopted in this decision by the Commission.¹⁴⁵ Rural Counties supports simulation exercises but is unclear if this staff proposal modifies, replaces, or adds to the existing guidelines

¹³⁸ NCPA Opening Comments at 7.

¹³⁹ NCPA Opening Comments at 10.

¹⁴⁰ NCPA Opening Comments at 10.

¹⁴¹ CLECA Opening Comments at 4.

¹⁴² EPUC Opening Comments at 6-7.

¹⁴³ Santa Clara County Reply Comment at 6.

¹⁴⁴ Joint Local Government Reply Comments at 6; Joint CCAs at Reply Comments at 3.

¹⁴⁵ Cal Advocates Opening Comments at 2.

and rules.¹⁴⁶ Abrams supports the requirement that IOUs engage in PSPS exercises; however, Abrams states that conducting exercises without goals, objectives, and the identification of specific outcomes does not leave communities better prepared for de-energization activities.¹⁴⁷ Abrams states the Commission must adopt more specificity and include performance-based standards, require these be incorporated and standardized within reports to facilitate best-practice sharing across IOUs and provide a foundation for future guidelines.¹⁴⁸ Lastly, Abrams recommends the Commission clarify whether PSPS exercises apply to any power shut off or just PSPS events.¹⁴⁹

6.3.3. Discussion

As a preliminary matter, and as noted above, we modify the term used in the staff proposal and our prior decisions to refer to these required simulation exercises. Going forward, we will refer to these simulation exercises as “PSPS Exercises” to better convey that these exercises encompass activities that occur at times beyond just the time period of the power shut off when the IOU de-energizes the electric system. These exercises must include, for example, the time period before the de-energization of the power lines when the IOUs start to provide advance notice to the potentially affected population that the IOU may shut off the electricity due to wildfire concerns. In addition, these exercises include the time period after a de-energization when the IOUs assist the affected population to reinstate previous activities, which were occurring prior to the loss of electric power. Therefore, to encompass the entire time period to which these

¹⁴⁶ Rural Counties Opening Comments at 6.

¹⁴⁷ Abrams Opening Comments at 10.

¹⁴⁸ Abrams Opening Comments at 10.

¹⁴⁹ Abrams Opening Comments at 10-11.

exercises apply, we find it more appropriate to refer to these exercises as PSPS Exercises.

In response to questions from parties about when during the year these exercises must be held, for example, SCE's request that the Commission clarify the time period within which the PSPS exercises must be held, we clarify that PSPS exercises must be conducted each calendar year, prior to July. In adopting this directive, we are modifying our prior directives that required the IOUs to perform these exercises "two months before wildfire season"¹⁵⁰ and "before wildfire season."¹⁵¹ Because the time period covered by the reference to "wildfire season" is constantly changing, we find more clarity is provided by designating the time period when these exercises must take place by reference to calendar months.

In response to concerns by IOUs that insufficient time exists between the expected adoption of the decision in Phase 3 of this proceeding and the start of the 2021 wildfire season to be able to conduct PSPS exercises that incorporate directives in this decision, we clarify that the Commission's expectation is that the IOUs make reasonable efforts to perform PSPS exercises that incorporate all the modifications to PSPS guidelines and rules adopted herein before three months following the effective date of this decision.

In response to an issue raised by Abrams, we clarify that the PSPS exercises adopted herein apply to proactive power shut offs. In this decision, we do not adopt guidelines or rules for other types of power failures, blackouts, or other emergencies.

¹⁵⁰ D.19-05-042 at 79-80.

¹⁵¹ D.20-05-051 at 80-81.

We also clarify that these PSPS exercises must include both table-top and functional exercises.

In response to questions about whether these exercises sufficiently address the medically vulnerable, we further clarify that these PSPS exercises must include practicing how IOUs intend to reach out to medically vulnerable customers in extended power outages, as suggested by Disability Rights and CforAT. We extend this requirement to, more broadly, access and functional needs and vulnerable populations.

We find the suggestion by NCPA that these PSPS exercises must include transmission-level customers important to maintain a high level of safety and direct the IOUs to develop and implement a plan for PSPS exercises with transmission-level customers. For these same reasons, the PSPS exercises must include, as suggested by NCPA, planning for mutual assistance during PSPS events between IOUs and transmission-level customers, such as publicly-owned utilities and electric cooperatives. Additionally, PSPS exercises must address how these entities can all work together during PSPS events toward the goals of mitigating the impacts of PSPS on the community, reducing the number of PSPS events, and diminishing the scope of PSPS events.

Some parties raised the issue of enforcement and suggest that IOUs will not sufficiently comply with the directive to conduct PSPS exercises until the Commission takes steps to enforce this directive. We agree additional oversight is needed to encourage adequate compliance. Our enforcement will consist of modifying the guidelines and rules to direct the IOUs to conduct these exercises, at least once, on an annual basis and require the IOUs to file reports annually, as part of the [current year] Pre-Season Report, about these PSPS exercises in

R.18-12-005 or a successor proceeding so that the Commission can verify the IOUs held PSPS exercises and monitor improvements.

To address Acton Town Council's concern that, by adopting a requirement to conduct PSPS exercises, the Commission is incorporating PSPS events as a permanent fixture for IOUs, when PSPS events are intended to be a temporary fix to hazards caused by the electric infrastructure, we stress that IOUs are expected to rely on PSPS as a wildfire mitigation measure of last resort, less as infrastructure improvements are made and as IOUs refine implementation of PSPS overall to be more targeted.

In response to Rural Counties' and Cal Advocates' request that we further clarify whether today's modifications are changes to existing directives or additions to existing directives, we will further clarify this matter when we propose a compendium with all the PSPS guidelines and rules in a single document.

Based on our findings above, we modify and clarify the staff proposal pertaining to PSPS exercises. We also affirm our finding in D.20-05-051 that PSPS exercises should not disrupt electrical service or violate any communication requirements and, to the extent possible they should test the function of the PSPS protocols listed therein.¹⁵² The staff proposal, as modified in response to comments by parties, is set forth below, with additions (underline) and removals (strikeouts).

6.3.4. Adopted Guidelines and Rules

C. ~~De-Energization~~ PSPS Exercises

1. ~~The existing guidelines requiring e~~Each electric investor-owned utility must ~~to~~ conduct and ~~plan~~ PSPS de-

¹⁵² D.20-05-051 at 80-02 and Appendix A at 2-3.

energization simulation exercises, referred to herein as PSPS exercises, both table-top and functional, for the various events triggered when a utility decides it may de-energize parts of its electrical system to mitigate possible wildfire caused by its infrastructure, in preparation for such a de-energization, during such a de-energization, in preparation for re-energizing, and after the electricity service has been restored. Each utility must coordinate its PSPS exercises with various entities, measure the successes and failures of the PSPS exercises, report lessons learned directly to various groups and participants, and utilize lessons learned to inform improvements in PSPS protocols. Each utility must include as part of a PSPS exercise how utilities intend to reach out to access and functional needs and vulnerable populations in extended power outages. Each utility must conduct, at a minimum, one PSPS exercise with transmission-level customers (as the term transmission-level is defined herein), either as part of a larger PSPS exercise or separately. A component of any PSPS exercises with transmission-level customers must include planning for mutual assistance during PSPS events and incorporate the goal of working together during a PSPS event. These annual PSPS exercises must include components directed at ensuring the utility's PSPS protocols address access and functional needs and vulnerable populations during extended power outages.

2. is modified to require Each investor-owned utility must such plan to be prepare and included in file a PSPS Exercise Report as part of the utility's [current year] pPre-sSeason rReport, and these PSPS Exercise Reports must include, at a minimum, provisions for both table-top and functional PSPS exercises, how many PSPS exercises were held, the dates held, and what entities participated. The Commission's Safety and Enforcement Division is authorized to require additional reporting factors in these PSPS Exercise Reports.
3. Each electric investor-owned utility must make reasonable efforts to conduct, at a minimum, a PSPSde-energization

~~simulation~~ exercise no later than three months ~~60 days~~ after the effective date~~issuance~~ of the Phase 3 ~~final~~ decision in R.18-12-005, ~~and then~~ Starting in 2022, each electric investor-owned utility must conduct, again at least once annually by July 1, a PSPS exercise using the same channels of decision-making, knowledge transfer, implementation, and communication that would be used in an actual the PSPS event ~~of a de-energization~~.

6.4. Definitions

The staff proposal includes a number of definitions for terms or phrases commonly used within the PSPS context to improve communications and understanding between IOUs and the many stakeholders involved in PSPS events. As the Commission stated in D.19-05-042,

“Adopting standardized definitions and customer designations allows the utilities, Cal OES (and other state or local government entities), CAL FIRE, local first/emergency responders, local governments, critical facilities, the Commission, customers and all others to operate with a shared understanding and language throughout a de-energization event, including re-energization.”¹⁵³

To continue the Commission’s work to promote a “shared understanding and language” pertaining to PSPS events, the staff recommended definitions for additional terms used in the PSPS context.

We address each proposed definition separately, below, in the order set forth in the staff proposal.

6.4.1. Before Re-Energization Begins

First, we consider the staff’s proposed definition of the phrase “before re-energization begins.” The staff’s proposal is set forth below.

¹⁵³ D.19-05-042 at 71.

1. *“Before re-energization begins” refers to the point in time after the patrol inspection of the line is complete.*

Rural Counties supports the definition of the phrase “before re-energization begins” but states the definition needs clarification.¹⁵⁴ SDG&E states that the definition of this phrase is too vague and the Commission should modify the definition to convey the idea that IOUs will re-energize when “safe to operate.”¹⁵⁵

Based on the comments provided, we find the staff proposal vague. In the absence of adequate recommendations to further clarify this period of time, referred to as “before re-energization begins,” we decline to adopt the proposal. We will re-visit this matter at a later date, if needed.

Therefore, we modify the staff proposal to completely delete (strikeout) the proposed definition, as follows:

- ~~1. “Before re-energization begins” refers to the point in time after the patrol inspection of the line is complete.~~

6.4.2. Concurrent Emergency

We now address the staff’s proposal to define the term “concurrent emergency.” The goal of this proposal was to present a uniform term that stakeholders could rely upon to express the concept that other emergencies may arise during a PSPS event. Based upon this uniform term, we anticipate that different topics may be able to be more clearly addressed, such as whether an IOU should consider re-energization in the event of a concurrent emergency.

The staff proposal is set forth below:

2. *Concurrent Emergency: A de-energization event overlapping with a wildfire event.*

¹⁵⁴ Rural Counties Opening Comments at 6.

¹⁵⁵ SDG&E Opening Comments at 5.

Overall, parties provided minimal comments on this proposed definition. The comments provided emphasized the need to modify the definition to include emergencies beyond just wildfires.¹⁵⁶ SDG&E agreed with the need to modify the proposed definition to include events beyond wildfires and suggested that the word “secondary event” be used rather than “wildfire.”¹⁵⁷ Cal Advocates further recommended that the Commission rely on Government Code § 8558 to define this term.¹⁵⁸

Based on the comments received, we modify the staff’s proposed definition of “concurrent emergency” to include other events, beyond just wildfires. We find that, as recommended by parties, the reference to “wildfire event” should be removed and replaced with a broader term so that the definition of concurrent emergencies includes a PSPS event and other overlapping emergency events beyond just wildfires. We find that the term “secondary emergency event” captures our broader intent and we direct the IOUs to interpret this term using Government Code § 8558 as guidance but note that a "concurrent emergency" for purposes of de-energization planning and response does not require a federal, state, or local emergency declaration.

We modify the staff’s proposed definition of concurrent emergency as set forth below, with additions (underline) and removals (~~strikeout~~).

21. Concurrent Emergency: A de-energization event overlapping with a secondary emergency event ~~wildfire event~~.

¹⁵⁶ Joint CCAs Opening Comments at 5, Rural Counties Opening Comments at 6; Rural Counties Reply Comments at 7; Joint Local Governments Reply Comments at 6.

¹⁵⁷ SDG&E Opening Comments at 5; Joint CCAs Reply Comments at 5.

¹⁵⁸ Cal Advocates June 10, 2021 Opening Comments to Proposed Decision at 4.

6.4.3. Critical Facilities and Infrastructure

We now turn to the staff's proposal to expand the definition of the term "critical facilities and infrastructure." The staff proposes a number of revisions to the existing definition of critical facilities and infrastructure that address some of the problems pertaining to the IOUs' interactions with critical facilities and infrastructure identified by the SED Report on the 2019 PSPS events. We examine the existing definition of this term and the comments on the staff proposal before adopting the staff proposal, modified based on our findings.

The staff proposal is below.

3. Critical Facilities is further defined to include:

a. Emergency Services Sector

i. Tribal government providers.

b. Government Facilities Sector

i. Homeless Shelters supported by federal, state, or local, or tribal governments;

ii. Community Centers;

iii. Senior Centers;

iv. Temporary facilities established for civic participation (voting centers or vote tabulation facilities).

c. Healthcare and Public Health Sector

i. Cooling (or Warming) Centers designated by state, or local or tribal governments;

ii. Temporary facilities established for public health emergencies.

d. Food and Agriculture Sector

i. Emergency Feeding Organization as defined in federal code, 7 U.S.C. § 7501; a public or nonprofit organization that administers activities and projects (including the activities and projects of a charitable institution, a food bank, a food pantry, a hunger relief center, a soup kitchen, or a similar public or private nonprofit eligible recipient agency).

e. Transportation Systems Sector

- i. Traffic Management Systems; For example, street lights, traffic signals, and rail crossings.*

Overall, the IOUs do not favor the staff's proposal to expand the definition of critical facilities and infrastructure. PG&E states that the staff's proposal will create an overly broad definition, which is difficult to apply.¹⁵⁹ Regarding specific provisions of the staff's proposal, PG&E also states that the staff's proposal to add *Traffic Management Systems; Street Lights, Traffic Signals, Rail Crossings* to the *Transportation System Sector* will be extremely difficult for IOUs to comply with due to the scope of what could be included as these types of transportation-related entities/facilities.¹⁶⁰ According to PG&E and SDG&E, even including additional categories to the existing definition of *Government Facilities Sector* is too broad.¹⁶¹ Similarly, SCE states that adding more categories to the existing definition of *Government Facilities Sector* results in an overly broad definition and, if retained, IOUs would need the contact information for the noted additional government organizations.¹⁶² SCE further states that including voting centers and vote tabulation facilities in the existing definition of *Government Facilities Sector* is too broad and, to the extent needed, SCE already has an emergency plan in place with the California Secretary of State.¹⁶³ SDG&E also states that the definition of critical facilities and infrastructure should remain narrow. According to SDG&E, a narrow definition emphasizes that facilities that serve vital needs must be able to function during an extended power outage but

¹⁵⁹ PG&E Opening Comments at 5.

¹⁶⁰ PG&E Opening Comments at 8.

¹⁶¹ PG&E Opening Comments at 9; SDG&E Opening Comments at 5-6.

¹⁶² SCE Opening Comments at 16.

¹⁶³ SCE Opening Comments at 15-16.

without any effort by the utility to provide targeted notice or support. SDG&E states that the definition should remain narrow so that the utilities focus on those facilities that are “immediate life-sustaining and public facilities.”¹⁶⁴

Other parties, such as the Joint CCAs, CSAC, and Rural Counties support the proposal to expand the definition of critical facilities and infrastructure but state that the definition must include additional specific directives to IOUs regarding these entities, such as a requirement that IOUs create lists of identified critical facilities and infrastructure, an explanation of how the utilities identified these entities, and a process for updating points of contact.¹⁶⁵ The Joint CCAs also note the importance of including *Transportation Management Systems* to the definition of critical facilities and infrastructure due to the critical role of this infrastructure in public safety.¹⁶⁶ Joint CCAs further state that the Commission should include in the definition a directive to describe the method used to identify and update the lists of critical facilities and infrastructure.¹⁶⁷

Disability Rights states that the Commission should incorporate additional facilities in the definition of critical facilities and infrastructure, including Independent Living Centers, assisted living facilities, and residential/inpatient mental health facilities, as these facilities are essential to the public safety, play a critical role in assisting individuals with disabilities during emergencies that require additional assistance and advance planning to ensure resiliency during de-energization events.¹⁶⁸

¹⁶⁴ SDG&E Reply Comments at 5.

¹⁶⁵ Joint CCAs Opening Comments at 4; Rural Counties Opening Comments at 5.

¹⁶⁶ Joint CCAs Reply Comments at 5.

¹⁶⁷ Joint CCAs Opening Comments at 4.

¹⁶⁸ Disability Rights Reply Comments at 6.

EPUC states that the definition of critical facilities and infrastructure must take into account gas compression stations, storage facilities, and other component parts that are critical for the operation of the electric system.¹⁶⁹

NCPA suggests that the proposed definition be refined to reflect the customers of the members of NCPA that are critical facilities and infrastructure.¹⁷⁰

Based on the comments provided by parties, we find that modifications to the staff's proposal to expand the definition of critical facilities and infrastructure is warranted. First, to provide context, we review the current status of the definition of this term.

The current definition of critical facilities and infrastructure began to take shape in 2018. In Resolution ESRB-8 (July 12, 2018), the Commission provided several examples of "critical facilities" but the Commission did not adopt a comprehensive definition of the term, stating that IOUs must "Ensure that critical facilities such as hospitals, emergency centers, fire departments, and water plants are aware of the planned de-energization event."¹⁷¹ The Commission further required IOUs to ensure these entities had notice of an upcoming PSPS event and to assist these entities in assessing backup power needs, suggesting – at least at that time – that IOUs may provide backup generation to entities in need.¹⁷²

In 2019, the Commission directly addressed the definition of this term, posing the question in the Phase 1 Scoping Memo, how should critical facilities be defined and identified? After reviewing comments on this question, the

¹⁶⁹ EPUC Opening Comments at 5.

¹⁷⁰ NCPA Opening Comments at 4.

¹⁷¹ Resolution ESRB-8 (July 12, 2018) at 7.

¹⁷² Resolution ESRB-8 (July 12, 2018) at 7.

Commission in D.19-05-042 found that many questions about how to identify these customers remained unresolved.¹⁷³ Therefore, in 2019, the Commission decided it would adopt an “interim” definition of critical facilities and infrastructure and revisit this definition. The interim definition of this term adopted by the Commission in 2019 was based on the U.S. Department of Homeland Security’s *Critical Infrastructure Sectors*.

In adopting this interim definition, the Commission also noted that the interim definition was not meant to be exhaustive.¹⁷⁴ In 2019, the Commission further stated that “The term ‘critical facilities’ and ‘critical infrastructure’ refers to facilities and infrastructure that are essential to the public safety and that require additional assistance and advance planning to ensure resiliency during de-energization events.”¹⁷⁵ Additionally, the Commission found that IOUs needed to proactively work to identify these customers, stating that utilities “should partner with local government and public safety partners in high fire risk areas to develop a list of critical facilities and critical infrastructure in those areas, and the utilities should be prepared to partner with the Commission to adopt a comprehensive list of types of critical facilities and critical infrastructure in the future.”¹⁷⁶

¹⁷³ D.19-05-042 at 21-25.

¹⁷⁴ D.19-05-042 at 75, citing to the: U.S. Homeland Security website at <https://www.dhs.gov/cisa/critical-infrastructure-sectors> at 21.

¹⁷⁵ D.19-05-042 at 75.

¹⁷⁶ D.19-05-042 at 75.

The interim definition adopted by the Commission in 2019, as used by the U.S. Department of Homeland Security for *Critical Infrastructure Sections*, is presented in summary format below:¹⁷⁷

Emergency Services Sector: Police Stations, Fire Station, Emergency Operations Centers. Government Facilities Sector: Schools, Jails and Prisons. Healthcare and Public Health Sector: Public Health Departments, Medical facilities, including hospitals, skilled nursing facilities, nursing homes, blood banks, health care facilities, dialysis centers and hospice facilities (excluding doctor offices and other non-essential medical facilities). Energy Sector: Public and private utility facilities vital to maintaining or restoring normal service, including, but not limited to, interconnected publicly-owned utilities and electric cooperatives. Water and Wastewater Systems Sector: Facilities associated with the provision of drinking water or processing of wastewater including facilities used to pump, divert, transport, store, treat and deliver water or wastewater. Communications Sector: Communication carrier infrastructure including selective routers, central offices, head ends, cellular switches, remote terminals and cellular sites. Chemical Sector: Facilities associated with the provision of manufacturing, maintaining, or distributing hazardous materials and chemicals (including Category N-Customers as defined in D.01-06-085).¹⁷⁸

Then, in 2020, the Commission expanded the definition of critical facilities and infrastructure to include *transportation infrastructure* and *9-1-1 emergency services*.¹⁷⁹ In expanding this definition, the Commission stated:

¹⁷⁷ D.19-05-042, Appendix A at A5-A6.

¹⁷⁸ D.19-05-042, Appendix A at A5-A6.

¹⁷⁹ D.20-05-051 at 74.

Public safety answering points are to be included in the definition of critical facilities to ensure 9-1-1 emergency services receive priority notification and any additional assistance necessary to ensure resiliency during de-energization events. The transportation sector shall be included in the list of critical facilities and infrastructure to ensure transportation resilience is a priority during de-energization events. The definition of transportation facilities and infrastructure for this purpose includes facilities associated with automobile, rail, aviation, major public transportation, and maritime transportation for civilian and military purposes.¹⁸⁰

With this overview of the Commission's current definition of critical facilities and infrastructure, as developed in 2018, 2019, and 2020, we adopt a number of modifications to the staff's proposal based on comments from parties and our determination that certain areas of the existing definition would benefit from further clarification.

As a preliminary matter, however, we note that entities falling within the definition of critical facilities and infrastructure are referred to by several different terms, such as "critical facilities," "critical customers," and "critical infrastructure." Going forward, we determine to use one term to provide greater clarity, "critical facilities and infrastructure." The word "customers" may be added, if appropriate.

We also note that the designation "critical facilities and infrastructure" is important because IOUs are required to provide "critical facilities and infrastructure" customers with (1) priority notice of a PSPS event and (2) an assessment, among other things, of backup power needs related to PSPS events. The Commission also requires IOUs to partner with local government and public

¹⁸⁰ D.20-05-051, Appendix A at 10.

safety partners in high fire risk areas to develop lists of critical facilities and critical infrastructure in those areas.¹⁸¹

Overall, we find that most of the additional entities in the staff's proposed expanded definition of critical facilities and infrastructure should be included because public safety will be significantly enhanced if these entities receive priority notice of a PSPS event and, in addition, a backup power assessment to adequately ensure public safety. The IOUs state the addition of *Traffic Management Systems*, such as streetlights, to the *Transportation System Sector* is too broad and will dilute the impact of this designation. We disagree with the IOUs and retain the addition of *Traffic Management Systems*, with modifications so as to not overly prescribe how the IOUs must implement *Traffic Management Systems*. In particular, we find that it is more appropriate for the IOUs to engage with local traffic management officials and determine the best approach to implementing this directive, rather than require IOUs to include certain infrastructure items.

We also find that some of the proposed modifications to the definition of critical facilities and infrastructure are vague and will create unneeded confusion. To eliminate potential confusion, without compromising public safety, we remove the following proposed additions to the definition: (1) under *Government Facilities Sector* and in reference to Homeless Shelters, we remove the phrase "supported by federal, state, or local, or tribal governments" to clarify that we intend for IOUs to appropriately notice and provide a backup power assessment to all homeless shelters, regardless of funding source; (2) under *Government Facilities Sector* and in reference to voting centers and voting

¹⁸¹ D.19-05-042 at 73-74.

tabulation facilities, we remove the word “temporary” to clarify that the covered voting centers and voting tabulation facilities are not limited to those that are “temporary,” and we also remove the phrase “civic participation” in reference to voting centers and voting tabulation facilities as overly vague (the categories noted below are additions in the staff’s proposal to existing categories under *Government Facilities Sector*, including schools, jails and prisons); (3) under *Healthcare and Public Health Sector* and in reference to cooling and heating centers, we remove the reference to-“designated by state, or local or tribal governments” to clarify that *all* cooling and heating centers are included, regardless of the funding source; and (4) under *Food and Agriculture Sector*, we remove the proposed additional language restating the definition of the *Emergency Feeding Organization*, as a restatement is not needed.

Lastly, in response to the Disability Rights recommendation to include a number of additional entities that serve people with disabilities, we add one suggested entity, Independent Living Centers, as defined by the California Department of Rehabilitation.

In all other respects, we adopt the staff’s proposed additions to critical facilities and infrastructure and find IOUs must provide these entities with the required priority notice, per guidelines and rules, and proactively reach out to these entities, per the guidelines and rules, to assess backup power needs to ensure public safety.

Some parties suggested that we also direct the IOUs to develop lists of critical facilities and infrastructure. The Commission adopted a directive to IOUs to create lists of critical facilities and infrastructure in Section 6.2, herein, and as part of our findings in I.19-11-013. We do not restate this directive here.

The Commission's adopted modifications to the staff's proposed definition of critical facilities and infrastructure are set forth below, with additions (underline) and removals (~~strikeout~~) noted:

32. Critical Facilities and Infrastructure is ~~further defined~~ modified to include the following:
- a. Emergency Services Sector
 - i. Tribal government providers.
 - b. Government Facilities Sector
 - i. ~~Homeless Shelters supported by federal, state, or local, or tribal governments;~~
 - ii. Community Centers;
 - iii. Senior Centers;
 - iv. Independent Living Centers, as defined by the California Department of Rehabilitation.
 - v. ~~Temporary facilities established for civic participation (voting centers and vote tabulation facilities).~~
 - c. Healthcare and Public Health Sector
 - i. ~~Cooling (or Warming) Centers designated by state, or local or tribal governments;~~
 - ii. Temporary facilities established for public health emergencies.
 - d. Food and Agriculture Sector
 - i. Emergency Feeding Organization, as defined in ~~federal code, 7 U.S.C. § 7501; a public or nonprofit organization that administers activities and projects (including the activities and projects of a charitable institution, a food bank, a food pantry, a hunger relief center, a soup kitchen, or a similar public or private nonprofit eligible recipient agency).~~
 - e. Transportation Systems Sector

- i. Traffic Management Systems;
 - ~~For example, (e.g., street lights, traffic signals, and rail crossings.)~~

6.4.4. False-Positive Communication and False-Negative Communication

We now address the staff's proposal to define the terms (1) false-negative communications and (2) false-positive communications. This proposal sought to simplify the tracking of inaccurate, incomplete, unsuccessful, incorrect notice pertaining to PSPS events.

The staff's proposal is set forth below.

4. *False-negative communications are those conveying that a de-energization event will not occur, when de-energization does occur.*
5. *False-positive communications are those conveying that a de-energization event will occur, when de-energization does not occur.*

Parties provide various opinions on the proposed definitions of the terms (1) false-negative communications and (2) false-positive communications but, overall, express the need for further clarification. PG&E states it supports these definitions but also supports changing the definitions to exclude customers that received a PSPS cancellation notice.¹⁸² SBUA disagrees with PG&E's suggestion.¹⁸³ Joint CCAs state the proposed definitions are inconsistent, and SDG&E goes further, stating the definitions are incorrect.¹⁸⁴ Rural Counties supports the inclusion of these definitions in the guidelines and rules.¹⁸⁵

¹⁸² PG&E Opening Comments at 9.

¹⁸³ SBUA Reply Comments at 8.

¹⁸⁴ Joint CCAs Opening Comments at 3; SDG&E Opening Comments at 6 and 16.

¹⁸⁵ Rural Counties Opening Comments at 7.

CforAT suggests that the definitions be modified to capture the concept that false negatives or false positives include additional situations, such as situations where IOUs provide no notice to a customer and the PSPS event is called and where IOUs provide inadequate notice prior to a PSPS event.¹⁸⁶ CforAT also suggests that the definitions be modified to reflect situations where IOUs provide customers with initial notice but no follow up notice with details about the PSPS event and situations where IOUs provide customers with initial notice but never call the PSPS event.¹⁸⁷ In addition, CforAT suggests that the Commission needs to address the costs incurred by customers when false or incorrect notice is provided, for example when a notice indicates a PSPS event is imminent, then customers incur costs to prepare, and the IOU never calls the PSPS event.¹⁸⁸ Disability Rights supports CforAT's suggestions.¹⁸⁹

EPUC supports a requirement to make every reasonable effort to avoid false-negative and false-positive communications, however, suggests the Commission provide more specific guidance on what would be deemed "reasonable" in these situations.¹⁹⁰

Cal Advocates requests certain modifications to the proposed definitions to make the definition more consistent with the current IOU practices.¹⁹¹

After reviewing the comments by parties on the staff's proposed definitions of the terms (1) false-negative communications and (2) false-positive

¹⁸⁶ CforAT Opening Comments at 14.

¹⁸⁷ CforAT Opening Comments at 1.

¹⁸⁸ CforAT Reply Comments at 6.

¹⁸⁹ Disability Rights Reply Comments at 6.

¹⁹⁰ EPUC Opening Comments at 8.

¹⁹¹ Cal Advocates Opening Comments at 7.

communications, we decide not to adopt the proposed definitions. By way of background, the Commission did not use the terms false positive or false negative in the guidelines and rules adopted in 2019, the Phase 1 PSPS Guidelines. In 2020, the Commission first used these terms when addressing the potential for customers to become confused when IOUs incorrectly or falsely state in a notice that a PSPS event will occur (and it does not). The Commission used these terms when rejecting a staff proposal to add to the guidelines and rules the requirement for additional notice to customers when a utility provides “false positive or false negative notice,” stating,

“[T]he Commission finds that parties like PG&E make a reasonable showing that it is not feasible to require that ‘in the event of a false negative or false positive communication,’ that the electric IOUs must promptly and clearly explain why they were incorrect in the communication with some sort of posting on their website. We acknowledge that the electric IOUs are typically managing dynamic environments while conducting a de-energization event, and at this time it is unreasonable to layer on this additional requirement.”¹⁹²

In 2020, the Commission did find, however, that IOUs caused confusion when issuing PSPS notices (when no event actually occurs), stating, “False negative and false positive communications about potential de-energization events do not enhance public safety and may degrade public confidence in de-energization-related communications from utilities.”

Based on this finding, the Commission directed IOUs to track and report such situations in the post-event reports, stating, “The electric IOUs could explain any false communications in the post event reports.”¹⁹³ In 2020, the

¹⁹² D.20-05-051 at 31.

¹⁹³ D.20-05-051 at 82 and 83.

Commission also used these terms, false negative and false positive, in several other places in the adopted guidelines and rules.

We find that adding definitions for these terms to the PSPS guidelines will cause even more confusion. Parties seek to clarify this matter by incorporating a number of scenarios as part of the definitions of these terms but no suggestion is straightforward enough to resolve the existing confusion. We instead find that, going forward, we will make efforts not to rely on these terms and endeavor to, instead, remove these terms from the guidelines and rules when we prepare a compendium of all the guidelines and rules.

In an effort to provide more clarity around the situations that the terms presented in the staff proposal intended to capture, we direct IOUs in all reports and other relevant documents to describe the situations at-issue, which all involve some level of perceived defect in notice, in specific detail, for example, the nature of the notice provided, the lack of notice, the lack of sufficient notice, or the IOU's decision to notice a PSPS event but then not call a PSPS event (including both when the IOU sends cancellation notice, and when the IOU fails to send cancellation notice). By more specifically describing the situation at-issue rather than relying on vague terms, we seek to eliminate ongoing future confusion on these topics. We also request that stakeholders refrain from using these terms and, instead, describe the exact situation at-issue.

We will also continue to attempt to reduce confusion experienced by customers in situations where IOUs notice a PSPS event (but do not call the event) and other related types of situations by clarifying and expanding upon, if needed, the PSPS guidelines and rules pertaining to notice. As Rural Counties state, timely notice of an IOU's decision to not call a PSPS event (after notice is sent), will save limited resources for all impacted customers: "Many residents,

critical facilities, and public safety partners make difficult decisions to prepare for a PSPS event and timely notification of a cancelation or change in scope will help those customers change their schedules or redeploy resources to areas that remain within the scope of the event.”¹⁹⁴ Regarding costs incurred by customers when a PSPS event is noticed (but not called), we do not address this issue at this time.

To reflect the Commission’s decision not to adopt these proposed definitions and the removal of these two definitions from the staff proposal, we note the removal (strikeout), as follows:

- ~~4. False negative communications are those conveying that a de-energization event will not occur, when de-energization does occur.~~
- ~~5. False positive communications are those conveying that a de-energization event will occur, when de-energization does not occur.~~

6.4.5. Public Safety Partner

We now address the staff’s proposal to expand the definition of the term “public safety partner” to add cities and all levels of local and tribal government to the existing definition of this term.

The staff proposal is set forth below.

- 6. Public Safety Partner is further defined to include cities and all levels of local and tribal government.*

Parties provide some feedback on the staff’s proposal to expand the definition of public safety partners. PG&E states that the Commission should not expand the definition to include “all cities and all levels of government” because this language is too broad and instead urges the Commission to expand

¹⁹⁴ Rural Counties Opening Comments at 11.

the definition in a narrower manner to just incorporate “interested cities and tribal governments.”¹⁹⁵ PG&E explains that expanding the definition, as set forth in the staff proposal, will mean that IOUs must provide priority notice to many more governmental offices and personnel for PSPS events than relevant because, importantly, not “all levels” of government perform first/emergency response or provide critical essential services.¹⁹⁶ As a result, PG&E explains, this expanded priority notice may result in overburdening government agencies and cause confusion.¹⁹⁷ PG&E urges the Commission to retain the existing definition but clarify that it includes “cities and tribal governments.”¹⁹⁸ SDG&E supports the staff proposal but clarifies that it already classifies local governments, municipalities, cities, counties, and tribal governments as public safety partners.¹⁹⁹ Rural Counties supports the expanded definition but does not provide a rationale.²⁰⁰ Joint Local Governments supports the effort to clarify that cities and all levels of local and tribal government are public safety partners.²⁰¹

After reviewing the comments on the staff proposal, we adopt a minor modification to the definition of public safety partners and, in addition, we stress the importance of the existing guidelines and rules adopted in Phase 1,²⁰² that the IOUs properly identify these entities and establish points of contact.

¹⁹⁵ PG&E Opening Comments at 7.

¹⁹⁶ PG&E Opening Comments at 7.

¹⁹⁷ PG&E Opening Comments at 7.

¹⁹⁸ PG&E Reply Comments at 6.

¹⁹⁹ SDG&E Opening Comments at 7.

²⁰⁰ Rural Counties Opening Comments at 7.

²⁰¹ Joint Local Governments at 10.

²⁰² D.19-05-042

By way of background, the Commission identified certain groups that would benefit from advanced or priority notice of a planned PSPS event in 2018, as including the following: “fire departments, first responders, local communities, government, communications providers, and Community Choice Aggregators.”²⁰³ The Commission first adopted a definition for the term “public safety partners” in 2019. In 2019, the Commission stated its rationale for including certain entities within the definition of public safety partners as “those entities for whom advanced notice is critical to preserve the public safety during a de-energization event, including during re-energization.”²⁰⁴ In 2019, the Commission defined this term to include the following:

first/emergency responders at the local, state and federal level, water, wastewater and communication service providers, community choice aggregators (CCAs), affected publicly-owned utilities (POUs)/electrical cooperatives, the Commission, Cal OES and CAL FIRE.²⁰⁵

Regarding notice to these entities, the Commission further stated, “Public safety partners will receive priority notification of a de-energization event, as discussed in subsequent sections.”²⁰⁶ The Commission did not address this definition in its 2020 decision, D.20-05-051, the Phase 2 PSPS Guidelines decision.

As noted above, the following entities are included in the existing 2019 definition: (1) first/emergency responders at the local, state and federal level, (2) water service providers, (3) wastewater service providers, (4) communication service providers, (5) community choice aggregators, (6) affected publicly-owned

²⁰³ Resolution ESRB-8 (July 12, 2018) at 7.

²⁰⁴ D.19-05-042 at 73.

²⁰⁵ D.19-05-042 at 73.

²⁰⁶ D.19-05-042 at 73. Emphasis added.

utilities and electrical cooperatives, (7) the Commission, (8) Cal OES, and (9) CAL FIRE. To clarify, this definition does not preclude IOUs from treating other entities, at their discretion, similar to the named public safety partners. The staff proposal recommends adding “cities and all levels of local and tribal government” to this definition.

We find that an expansion of the definition of public safety partners is not required to capture the intent of the staff’s proposal. Rather, as several parties point out, we find clarification is needed so all stakeholders understand the existing guidelines and rules include local governments, municipalities, cities, counties, and tribal governments within the definition of public safety partners. As SDG&E points out, it already includes all these entities within the definition of public safety partners. Joint Local Governments also emphasizes that a clarification of the definition is needed, not an expansion.²⁰⁷

We reproduce the existing definition of “public safety partners” below, which, as noted, encompasses all “emergency response providers.” The terms “public safety partners” together with “emergency response providers” include all the entities cited in the staff proposal, except tribal entities. While we find that these definitions intend to include tribal governments, we also find that, to clarify that tribal governments are included, we add “tribal” to both definitions.

Regarding the phrase “all levels” included in the staff proposal, we agree with PG&E that this phrase “all levels” of government is overly broad and may capture personnel not prepared or trained to receive such advance notice. Rather, we expect IOUs to identify the appropriate person or people in each organization that should receive the notice and IOUs must direct the notice to

²⁰⁷ Joint Local Governments at 10.

that point of contact. We have discussed the importance of keeping these contacts up to date in other decisions.²⁰⁸

For these reasons, we refer to the Commission's 2019 definition of public safety partners and, in addition, emergency response providers, which are reproduced below, and find these existing definitions contain the information suggested by the staff's proposal. We clarify these existing definitions in D.19-05-042 by adding "tribal" and adding a citation to D.19-05-042.

We reproduce the existing guidelines and rules, for reference here, with noted additions (underline). We decline to adopt the staff's proposal, as deleted (~~strikeout~~):

~~6. Public Safety Partner is further defined to include cities and all levels of local and tribal government.~~

3. Modification to definition of Public Safety Partner in D.19-05-042:

The term 'public safety partners' refers to first/emergency responders (defined in D.19-05-042, Appendix A at A3-A4) at the tribal, local, state, and federal level; water, wastewater and communication service providers; community choice aggregators (CCAs); affected publicly-owned utilities (POUs)/electrical cooperatives; the Commission; Cal OES; and CAL FIRE. Public safety partners will receive priority notification of a de-energization event, as discussed in subsequent sections." (D.19-05-042, Appendix A at A4.)

The term 'first responder/emergency responder' refers to those individuals who, in the early stages of an incident, are responsible for the protection and preservation of life, property, evidence, and the environment, including emergency response providers. (D.19-05-042, Appendix A at A3.)

²⁰⁸ D.19-05-042, Finding of Fact 12 at 117, Conclusion of Law 10 at 124, and Appendix A at A11.

The term ‘emergency response providers’ includes tribal, federal, state, and local governmental and nongovernmental public safety, fire, law enforcement, emergency response, emergency medical services providers (including hospital emergency facilities), and related personnel, agencies and authorities. (D.19-05-042, Appendix A at A4.)

6.4.6. Timing of Each De-Energization Event

We now address the staff’s proposal to include a definition of the phrase “timing of each de-energization event” with respect to post-event reports, for purposes of establishing the beginning and end of a PSPS event. The goal of proposing a definition of this term was to create uniformity around the topic of what constitutes a single PSPS event and, therefore, when the Commission’s directive to file a post-event report about that single PSPS event applies.

The staff proposal is below.

7. *The timing of each de-energization event is defined in respect to a post-event report by the weather event that triggers an electric investor-owned utility’s action to de-energize its electric circuit(s). A single de-energization event persists as long as the triggering weather event justifies the utility’s actual de-energization, until the triggering weather event no longer meets the aforementioned criteria and the utility has patrolled the circuit, mitigated damage and hazards, given clearance to re-energize, and restored service, all in accordance with applicable law, Commission guidelines, and regulations.*

Few parties provide comments on this proposed definition. SDG&E suggests the proposed definition be expanded to account for seven days of weather, meaning that seven consecutive days of weather should be considered a single PSPS event and not trigger any separate post-event reports.²⁰⁹ Joint CCAs

²⁰⁹ SDG&E Opening Comments at 7-8.

state that the proposed definition is helpful, as it provides objective, condition-based criteria for determining what constitutes a single PSPS event, rather than relying on the IOUs' discretion to treat a proactive de-energization as a single event or multiple events. Joint CCAs state "This, in particular, was an issue in PG&E's October 23-26, 2019 outage, which PG&E reported as two separate outage events, but was, in reality, a single uninterrupted outage event."²¹⁰

Based on the limited comments provided, we are unable to conclude that including a definition for this phrase would be helpful. We are concerned that, in the absence of additional feedback from stakeholders, this definition will cause more confusion. Therefore, to avoid causing additional confusion, we refrain from adopting a definition for this term at this time. We acknowledge that, in certain circumstances, it is unclear whether the IOUs are presenting PSPS events together, as a single event, when these events would be more appropriately characterized as two or more events, which, in turn, causes the underreporting of the total events and associated harms. However, the proposed definition fails to provide sufficient guidance for this problem. We will consider this matter again, if needed. We decline to adopt the staff's proposal, with the removal (strikeout) indicated below:

- ~~7. The timing of each de-energization event is defined in respect to a post-event report by the weather event that triggers an electric investor-owned utility's action to de-energize its electric circuit(s). A single de-energization event persists as long as the triggering weather event justifies the utility's actual de-energization, until the triggering weather event no longer meets the aforementioned criteria and the utility has patrolled the circuit, mitigated damage and hazards, given clearance to~~

²¹⁰ Joint CCAs Opening Comments at 4-5.

~~re-energize, and restored service, all in accordance with applicable law, Commission guidelines, and regulations.~~

6.4.7. Transmission-Level Customer

We now address the staff's proposal to include a definition of the term "transmission-level" for purposes of establishing priority or advanced notice requirements to this group of customers.

The staff proposal is below.

8. *Transmission-level is defined as voltage over 69 kV that is under the authority of the California Independent System Operator (CAISO). Sub-transmission level is defined as 34.5 kV to 69 kV and not under the authority of CAISO. Each electric investor-owned utility must provide priority notification of any de-energization event to transmission-level customers.*

PG&E and SDG&E suggest that the proposed definition be broadened by removing the voltage level reference, the 69kV reference, and state that including a reference to 69kV will cause confusion but also state that the Commission should not direct IOUs to provide these customers with priority notice, a directive set forth in the last sentence of the proposed definition.²¹¹ SCE states that the proposed definition should be revised to permit each IOU to use its own definition of transmission, as each IOU relies on a different definition.²¹²

Similarly, NCPA also is concerned that the proposed definition of transmission-level customers is not sufficiently broad due to the voltage requirement.²¹³ NCPA states that the Commission should expand the definition of transmission-level customers to include any publicly owned utility or electric

²¹¹ PG&E Opening Comments at 6-7; SDG&E Opening Comments at 8.

²¹² SCE Opening Comments at 16.

²¹³ NCPA Opening Comments at 6.

cooperative that is served by an IOU transmission line, irrespective of voltage.²¹⁴ NCPA points out that, While the majority of those customers will be at the higher voltage levels, that is not always going to be the case. In those instances where the transmission service is below 69 kV, but the IOU is a significant source of wheeling to the POU or cooperative, the affected utility needs priority notification in order to prepare its own system for an outage. The definition of transmission-level customers should therefore include POU or electric cooperative customer that receives transmission service from an IOU at any voltage.²¹⁵

Golden State Power also points out that some of its members, for example, Anza Electric Cooperative, take service at 34kV, which is a lower voltage than specified in the proposed definition.²¹⁶ Golden State Power states that Anza needs to fall within the definition of transmission-level customers so that it receives priority notice of a PSPS event.²¹⁷ Golden State Power Cooperative states:

For electric cooperatives like Anza Electric Cooperative (Anza), a Southern California Edison (SCE) de-energization event could result in an outage throughout their service territory, as Anza has a sole feed wheeling contract with SCE. However, because Anza's transmission service from SCE is 34 kV, Anza would not be considered a transmission-level customer, and would not receive the priority notification of an SCE de-energization event that it needs to prepare for a potential system-wide outage.²¹⁸

²¹⁴ NCPA Opening Comments at 6.

²¹⁵ NCPA Opening Comments at 6.

²¹⁶ Golden State Power Opening Comments at 2-3.

²¹⁷ Golden State Power Opening Comments at 2-3.

²¹⁸ Golden State Power Opening Comments at 2.

For this reason, Golden State Power suggests changing the proposed definition by removing the reference to “voltage over 69 kV” and, instead, including “all electrical cooperatives or publicly-owned utilities that are served by IOU transmission lines, regardless of voltage.”²¹⁹

EPUC, on the other hand, states that the proposed definition of transmission-level “as voltage over 69 kV” should be changed to a lower voltage level.²²⁰ EPUC requests the voltage be lowered to 60 kV to ensure that all transmission-level customers are captured by the definition.²²¹ EPUC points out that, while SCE’s distribution/transmission distinction falls at a higher voltage, PG&E’s delineation falls at 60kV.²²² EPUC states this modification to the proposed definition is necessary to ensure that no transmission-level lines, and consequently customers, are unintentionally excluded from the definition.²²³ EPUC also notes that, by including the requirement that the customer is under the control of the CAISO, together with the voltage level, the definition creates necessary bright lines for purposes of coordination with CAISO and emergency/first responders.²²⁴ Likewise, CLECA opposes the PG&E and SDG&E recommendation to exclude any reference to a voltage level (“voltage over 69 kV”) in the proposed definition of transmission-level because, according

²¹⁹ Golden State Power Opening Comments at 2-3.

²²⁰ EPUC Opening Comments at 5.

²²¹ EPUC Opening Comments at 5-6.

²²² EPUC Opening Comments at 5-6.

²²³ EPUC Opening Comments at 5-6.

²²⁴ EPUC Opening Comments at 5.

to CLECA, a voltage cutoff provides a bright line rule that will simplify the definition.²²⁵

Abrams and Cal Advocates urge the Commission to more fully incorporate customers taking service from transmission lines into all the guidelines and rules.²²⁶ Cal Advocates also suggests that the Commission draw a distinction between the definition of transmission-level customer adopted for purposes of the PSPS guidelines and the definition of transmission versus distribution used by IOUs and the Federal Energy Regulatory Commission by including in the proposed definition the phrase “regardless of utility-specific or Federal Energy Regulatory Commission classifications of the line.”²²⁷

The parties also address the related concept included in the staff’s proposed definition of whether the Commission should require the IOUs to provide priority notice to transmission-level customers. Our discussion here is limited to the definition of transmission-level customers for purposes of the PSPS guideline. We address the type of notice that IOUs must provide to customers defined as transmission-level customers at Section 6.9, herein.

Based on our review of the comments by parties to the proposed definition of transmission-level, we make a number of modifications to the proposal to clarify our intent of capturing, at a minimum, all entities that provide electric service to customers. First, in response to the comments by the parties representing community choice aggregators, publicly-owned utilities, and electric cooperatives – entities that often take service from a transmission line and provide electric services to their own customers – including members of the

²²⁵ CLECA Reply Comments at 6.

²²⁶ Abrams Opening Comments at 16; Cal Advocates Opening Comments at 11-12.

²²⁷ Cal Advocates Opening Comments at 12.

Joint CCAs, EPUC, Golden State Power, and NCPA, we remove the specific voltage level requirement and adopt a definition that relies on whether the customer is taking service from a line under the control of the CAISO. As modified, if a customer is taking service from a line that is under the control of the CAISO, that customer is designated as a transmission-level customer for purposes of the PSPS guidelines and rules because many of these customers need advance or priority notice to prepare their own customers or facilities for a power outage. As stated above, we address notice to transmission-level customers in Section 6.9, below.

We do not agree with SCE that each IOU should rely on its own definition of transmission because a higher level of consistency on the understanding of transmission between the IOUs and stakeholders is needed within the context of PSPS preparation and implementation protocols. While some parties, such as CLECA and EPUC, suggest a specific voltage reference is needed to provide a bright line distinction between transmission customers and others, we point out that we are still retaining the requirement that transmission-level customers be served by a line under the control of the CAISO so a bright line distinction will exist even if we remove the voltage reference.

Regarding Golden State Power's suggestion that the Commission add "all electrical cooperatives or publicly-owned utilities that are served by IOU transmission lines, regardless of voltage" to the definition, we elect to, instead, explicitly include these entities in the definition because these entities may not necessarily fall within service from a line under CAISO control but have the same safety concerns as entities that do receive service from a line under CAISO control.

In addition, because neither the staff nor any party proposes specific rules, such as priority notice, for what the staff proposal refers to as “sub-transmission” customers, we refrain from adopting a definition for this term at this time. Accordingly, we remove this part of the proposal from our adopted definition.

In response to a suggestion by Cal Advocates that the Commission draw a distinction between the definition of transmission customer adopted for purposes of the guidelines and the definition of transmission vs distribution used by the IOUs or by the Federal Energy Regulatory Commission, we find that further clarity is not needed because all lines under CAISO control also fall within the jurisdiction of the Federal Energy Regulatory Commission.

We adopt the staff’s proposal, as modified below, with additions (underline) and deletions (strikeout), as follows:

84. Transmission-level customer is defined as ~~(1) voltage level,~~ a customer taking service directly from network transmission facilities under control over 69 kv that is ~~under the authority~~ of the California Independent System Operator (CAISO) and (2) publicly-owned utilities and electric cooperatives. ~~Sub-transmission level is defined as 34.5 kv to 69 kv and not under the authority of CAISO.~~ Each electric investor-owned utility must provide priority notification of any PSPS de-energization event to transmission-level customers. The designation of a customer as a transmission-level customer also requires the utility to, among other things, conduct PSPS Exercises with these customers (PSPS Exercises are addressed in a separate section of these guidelines and rules).

6.5. PSPS Education and Outreach

6.5.1. Staff Proposal

The staff proposes additional directives to enhance the IOUs’ education and outreach pertaining to PSPS events. The staff’s proposal suggests the Commission require (1) IOU outreach be done in all prevalent languages in

service territory; (2) IOU outreach be done in collaboration with community-based organizations and public safety partners; (3) IOU post-event outreach include a survey to evaluate the effectiveness of any prior outreach and education efforts; and (4) reports by IOUs to the Commission with the results of post-event surveys.

The staff proposal is set forth below.

E. Education and Outreach

- 1. Each electric investor-owned utility must conduct public outreach, in all languages prevalent in its respective service territory, to communities in collaboration with relevant Community Based Organizations (CBOs) and public safety partners. Outreach must include after-event surveys and metrics to evaluate whether the awareness and outreach is helping communities and residents before, during, and after a de-energization event. Each electric investor-owned utility must report the survey results and metrics in its quarterly de-energization progress reports.*

6.5.2. Party Comments

Parties provide extensive comments on the staff's proposal on education and outreach related to PSPS events. PG&E generally supports the staff proposal but suggests limiting IOU surveys to the beginning and end of a wildfire season, rather than after each PSPS event.²²⁸ SDG&E supports the staff proposal but recommends that surveys not be required after each event because that may result in over-surveying its impacted customers, referring to possible "survey-fatigue" and proposes, instead, four post-PSPS surveys in 2021, with the survey results reported in the quarterly progress reports.²²⁹ SDG&E points out that "surveying in the multiple languages [its survey was available in 22 languages]

²²⁸ PG&E Opening Comments at 10.

²²⁹ SDG&E Opening Comments at 10-11.

in 2020 quadrupled the costs, with an additional expense of \$200,000, largely driven by translations.”²³⁰ To control costs, SDG&E suggests that surveys be done in languages other than English but to reduce the total number of languages used to six.²³¹ In terms of the results of the surveys, SDG&E suggests the Commission require IOUs to provide survey results for the entire wildfire season in a single report provided each year after the end of wildfire season.²³² SCE supports the staff proposal but recommends the Commission not impose a strict requirement to implement any changes to the existing requirements on education and outreach before the peak of the 2021 wildfire season because SCE is developing an interim solution to support languages that cannot be accommodated for PSPS event notification in 2021, which it plans to launch in the second quarter of 2021.²³³

Joint CCAs generally support the staff proposal.²³⁴ SBUA recommends the Commission specifically require IOUs to develop education and outreach targeted for small businesses and small business organizations but provides no rationale to support this suggestion.²³⁵ CforAT supports the staff’s proposal but states it must be revised to require education and outreach be provided in accessible formats to effectively communicate with individuals with limited ability to use standard forms of communication.²³⁶ CforAT also points out that,

²³⁰ SDG&E Opening Comments at 11.

²³¹ SDG&E Opening Comments at 11.

²³² SDG&E Opening Comments at 10.

²³³ SCE Opening Comments at 13.

²³⁴ Joint CCAs Opening Comments at 5.

²³⁵ SBUA Opening Comments at 5.

²³⁶ CforAT Opening Comments at 14-15.

while IOUs are seeking the guidance of community-based organizations to increase the effectiveness of the IOU PSPS education and outreach, costs incurred by the community-based organizations to assist IOUs have not been addressed by the Commission.²³⁷ CforAT states, “the Commission and utilities are seeking substantial support from small nonprofit organizations without any commitment of resources to assist them in doing the collaborative work that the Commission seeks.”²³⁸ CforAT emphasizes that extended or repeated de-energization events are not sustainable for certain individuals and the potential harm must be addressed, beyond education and outreach.²³⁹ Lastly, CforAT urges the Commission to consider enforcement actions against SDG&E and SCE for neglecting their obligations to provide education and outreach materials in prevalent languages, a requirement CforAT points out has been in place since the Phase 1 Guidelines were adopted in 2019.²⁴⁰

Similar to CforAT, Disability Rights states the Commission must direct IOUs to provide education and outreach in formats accessible to people with disabilities, particularly communication-access needs.²⁴¹ Disability Rights points to the need for effective written “captions,” American Sign Language interpreters, and accessible written formats for all PSPS education and outreach events.²⁴² SCDD suggests more education and outreach is needed for the

²³⁷ CforAT Opening Comments at 14-15.

²³⁸ CforAT Opening Comments at 15.

²³⁹ CforAT Opening Comments at 14-15; CforAT Reply Comments 6-7.

²⁴⁰ CforAT Reply Comments at 7.

²⁴¹ Disability Rights Reply Comments at 7.

²⁴² Disability Rights Reply Comments at 7.

disabled community so they can “opt-in” to any specialized notice of PSPS events provided by IOUs.²⁴³

Joint Local Governments agree with other parties that IOU PSPS education and outreach fails to ensure the safety of customers during power outages and IOUs must provide more resources and assist customers in creating a response plan.²⁴⁴ Joint Local Governments state that the use of community-based organizations by IOUs for PSPS-related education and outreach to the AFN customers and vulnerable populations must be supported by a directive from the Commission so that the IOUs cover more of the related costs.²⁴⁵

NCPA states that the IOUs are not providing access to the secure website data for public safety partners and not including all publicly-owned utilities and electric cooperatives.²⁴⁶ Rural Counties supports the proposal to require post-event outreach survey results in an IOU report.²⁴⁷ Rural Counties agrees with the requests by other parties that the Commission direct IOUs to financially support community-based organizations’ efforts to assist IOUs gather information, coordinate outreach, and mitigate PSPS impacts on vulnerable members of the community.²⁴⁸ Rural Counties also seems to interpret the staff proposal as suggesting that public safety partners participate in surveys, which Rural

²⁴³ SCDD Opening Comments at 2-3.

²⁴⁴ Joint Local Governments Reply Comments at 8.

²⁴⁵ Joint Local Governments Reply Comments at 8.

²⁴⁶ NCPA Opening Comments at 3.

²⁴⁷ Rural Counties Opening Comments at 8.

²⁴⁸ Rural Counties Reply Comments at 8.

Counties states may be too time consuming based on other pressing safety obligations of counties.²⁴⁹

Abrams suggests that, as part of education and outreach, the Commission incorporate focus groups as another measurement tool for communications when more qualitative information is desired.²⁵⁰

6.5.3. Discussion

Based on our review of the comments on the staff proposal, the Commission finds a number of issues raised by the staff's proposal on the IOUs' education and outreach regarding PSPS events require clarification.

Regarding the request by SDG&E that the Commission clarify the meaning of the phrase "all languages prevalent" in the staff's proposal, we clarify this phrase by directing IOUs to follow the same requirements pertaining to "prevalent" languages that we adopted in D.20-03-004, which addressed IOU communications with the public before, during, and after a wildfire consistent with the Wildfire Mitigation Plans and Pub. Util. Code § 8386(c)(16)(B). In that decision, we found that "IOU and [small and multi-jurisdictional utility, or SMJU] communication with affected communities and the general public before, during, and after a wildfire is essential to the Commission's role of ensuring Californians' access to safe and reliable utility infrastructure and services." On this basis, the Commission directed, as follows:

IOUs and SMJUs to conduct community awareness and public outreach in all languages that are 'prevalent' in their service territory. A language is prevalent if it is spoken by 1,000 or more persons in the IOU's or SMJU's territory. Indigenous

²⁴⁹ Rural Counties Opening Comments at 8.

²⁵⁰ Abrams Opening Comments at 12.

languages shall be included, and Mixteco and Zapoteco shall be included regardless of prevalence.²⁵¹

Because PSPS events, as a wildfire mitigation measure, are closely aligned with, and even incorporated into, IOU Wildfire Mitigation Plans and the related communications, we find it reasonable to direct IOUs to rely on the definition of “prevalent” languages in D.20-03-004 regarding education and outreach performed in connection with PSPS events. To reflect this directive, we modify the staff proposal to include a reference to D.20-03-004.

In response to claims by several parties, including CforAT, SCDD, and Disability Rights that ongoing education and outreach, including the surveys, by IOUs are not sufficiently accessible by individuals with disabilities, we direct IOUs to include this issue as a permanent topic of their Working Group meetings. As we stated in D.20-05-051, Working Group meetings, convened by the IOUs, with, among others, “representatives of people/communities with access and functional needs and vulnerable communities that convene at least quarterly can help better inform the electric IOUs regarding how to plan and execute de-energization protocols.”²⁵² We expect IOUs to learn more about how to better communicate with individuals with all types of or multiple access and functional needs, including (as noted by CforAT, SCDD, and Disability Rights) disabilities at these meetings, adopt needed improvements to their PSPS communication-related protocols, and report results to the Commission as part of the existing reporting requirements set forth in D.20-05-051 (Conclusion of

²⁵¹ D.20-03-004, Decision on *Community Awareness and Public Outreach Before, During and After a Wildfire, and Explaining Next Steps for Other Phase 2 Issues* (March 12, 2020.) (fn. omitted.).

²⁵² D.20-05-051 at 79, 89, 90, and Appendix A at 1.

Law 26).²⁵³ We will include a modification to the staff proposal to reflect this directive.

Several parties, including Joint Local Governments, CforAT, and Rural Counties ask the Commission to address the costs incurred by community-based organizations in assisting IOUs with education and outreach pertaining to PSPS events so that members of the community are better prepared for the possibility of living without electricity for, perhaps, several consecutive days. We will take steps toward gaining a better understanding of these costs by requiring IOUs to provide cost data related to AFN outreach conducted in partnership with CBOs, as addressed in Section 6.11, herein.

In response to the issue raised by SBUA about the need for IOUs to tailor education and outreach to small business entities, we find no need for such a directive appears warranted and SBUA did not provide any rationale to support this recommendation. Therefore, we decline to adopt this recommendation.

In response to requests by PG&E, SDG&E, and Rural Counties that the Commission clarify the frequency of the proposed surveys, we modify the staff proposal to direct IOUs to perform, at a minimum, two surveys per calendar year. We adopt this directive based on our goal of balancing the effectiveness of these surveys with the potential for substantial costs. We further clarify that a survey does not need to be issued in connection with each PSPS event but, if an IOU finds a need to issue a survey in connection with a specific PSPS event or beyond the two surveys required in a calendar year, the IOU may do so at its discretion. We are setting a minimum requirement. The IOUs may issue more surveys, if needed. We also clarify, in response to SCE's request to postpone the

²⁵³ D.20-05-051, Conclusion of Law 36 at 96.

effective date of this directive until after the peak of the 2021 wildfire season, that the directive will become effective immediately upon adoption of this decision, but IOUs only need to issue one survey in the remaining months of this calendar year. We add language to the staff proposal to reflect the required frequency of these surveys.

Regarding the request by SDG&E that the Commission clarify when and how the IOUs should submit the results of these surveys to the Commission, we modify the staff proposal to indicate that the results of the surveys be included in the annual reports, the [current year] Pre-Season Report and [prior year] Post-Season Report, required herein. We also authorize the Commission's Safety and Enforcement Division to direct IOUs to provide the results of the survey in a different manner, for example, with a different report, a separate report, or more frequently.

SDG&E raises the issue of increased costs incurred to provide education and outreach in multiple languages. Based on the information SDG&E provided, we find it reasonable to require IOUs to track and report all costs related to education and outreach, including the costs of the required surveys, related to PSPS. With this cost information, the Commission will be better able to make decisions on future or additional education and outreach efforts related to PSPS. We further find that the Commission's Safety and Enforcement Division is well-positioned to develop a cost tracking system that will enable the Commission to better understand the cost implications of the education and outreach required related to PSPS. Therefore, we direct IOUs to collaborate with Safety and Enforcement Division so that it can develop and direct a reporting system for IOUs to use for this purpose. We add a cost tracking directive to the adopted guidelines and rules.

Lastly, Abrams recommends the Commission hold focus groups to enhance the IOUs' education and outreach and verify the effectiveness of the IOUs' efforts. We decline to adopt this recommendation because, currently, we view our existing reporting requirements together with the existing requirements for regular working group meetings sufficient to obtain feedback from the community on the effectiveness of education and outreach by IOUs on PSPS-related topics.

We adopt the staff's proposal, as modified below, with additions (underline) and deletions (strikeout), as follows:

6.5.4. Adopted Guidelines and Rules

E. Education and Outreach

1. Each electric investor-owned utility must conduct PSPS education and outreach, including surveys~~public outreach~~, in all languages "prevalent" languages, as defined in D.20-03-004, in its ~~respective~~ service territory. Each utility must conduct, at a minimum, two PSPS education and outreach surveys accessible to all customers each calendar year. The Commission's Safety and Enforcement Division is authorized to direct an IOU to modify or issue more of these surveys. Each utility must to communities in collaboration with relevant ~~Community Based Organizations (CBOs)~~ and public safety partners to develop these surveys, which Outreach must include, at a minimum, after-event surveys and metrics to evaluate whether the education~~awareness~~ and outreach is effectively helping communities and residents before, during, and after a PSPS~~de-energization~~ event to plan for alternative electricity arrangements and/or avoid the impacts of de-energization events. Each electric investor-owned utility must report the survey results and metrics in its quarterly de-energization progress reports. Each utility must include the results of the most recent education and outreach surveys not yet previously reported on, as an attachment to the [current year] Pre-Season Report and the [prior year] Post-Season Report. The Commission's Safety and Enforcement Division is authorized to direct an IOU to file the results of these surveys more frequently or in a different manner.

2. Each electric investor-owned utility must file, as part of the reports required pursuant to D.20-05-051, Conclusion of Law 36 at 96, information pertaining to, at a minimum, discussions at Working Group meetings regarding the accessibility of utility's education and outreach efforts, including surveys, for individuals with access and functional needs, the recommendations, if any, made by individuals with or representatives of communities with access and functional needs to enhance education and outreach pertaining to PSPS events, and whether those recommendations, if any, were incorporated into the utility's PSPS protocols.
3. Each electric investor-owned utility must track and report costs for PSPS-related education and outreach, including the required surveys, and the Commission's Safety and Enforcement Division is authorized to develop the cost tracking system for this purpose. The utilities must include costs incurred by other entities from whom they request assistance in these efforts. The utilities must include these costs, in the format designated by Safety and Enforcement Division, with the [prior year] Post-Season Report.

6.6. Emergency Operations Centers (EOCs), State Operations Center, Liaisons

6.6.1. Staff Proposal

The staff proposal includes guidelines and rules for the IOUs' EOC staff to have emergency management experience or receive emergency management training, and to develop uniform, synchronized methods of conducting State Executive Calls and providing notifications and statistical updates to state and federal executive partners. The staff proposal is set forth below:

F. Emergency Operations Centers (EOCs), State Operations Center, Liaisons

1. *All electric investor-owned utility EOC staff must have emergency management experience or receive emergency*

management training. Emergency management expertise is necessary to communicate effectively, accurately, and consistently with public safety partners before, during, and after a de-energization event.

2. *All electric investor-owned utility staff must meet with representatives from Cal OES and CAL FIRE to develop uniform, synchronized methods of conducting State Executive Calls and providing notifications and statistical updates to state and federal executive partners.*

6.6.2. Party Comments

CSAC, Joint Local Governments, and Santa Clara County emphasize the importance of recent and/or ongoing emergency management experience, and express concern that proposed guideline/rule F.1 would allow someone with non-recent and/or only one-time training to qualify as EOC staff. The IOUs are either supportive of or do not address proposed guideline F.1.

With respect to proposed guideline/rule F.2, PG&E requests flexibility to report differing statistical updates “when PSPS events are fundamentally different in scope and complexity across IOUs.”²⁵⁴ No party opposes PG&E’s proposed modification.

6.6.3. Discussion

We agree that recent and ongoing experience and training are important, therefore we have modified proposed guideline/rule F.1 as suggested by CSAC and Joint Local Governments. Regarding proposed guideline/rule F.2, we agree with affording the type of flexibility PG&E requests, while also stressing the importance of coordinating with Cal OES and CAL FIRE to ensure such statistical updates are most useful for their respective purposes. We have also

²⁵⁴ PG&E Opening Comments at 10.

included the Commission in proposed guideline/rule F.2 in order for all three agencies to receive the same necessary information.

The adopted guidelines and the modifications to the staff proposal, with additions (underlined) and removals (strikeout), are set forth below.

6.6.4. Adopted Guidelines and Rules

F. Emergency Operations Centers (EOCs), State Operations Center, Liaisons

1. All electric investor-owned utility EOC staff must receive annual emergency management training sufficient to enable them to perform their assigned role. Emergency management expertise is necessary to communicate effectively, accurately, and consistently with public safety partners before, during, and after a proactive de-energization event.
2. All electric investor-owned utility staff must meet with representatives from Cal OES, ~~and CAL FIRE, and the Commission~~ to develop uniform, synchronized methods of conducting State Executive Calls and providing notifications to those agencies. In consultation with representatives from Cal OES, CAL FIRE, and the Commission, electric investor-owned utilities must make reasonable efforts to align their ~~and~~ statistical updates on PSPS events sent to state and federal executive partners.

6.7. Medical Baseline and Access and Functional Needs (AFN) Communities

6.7.1. Staff Proposal

The staff proposal includes four proposed guidelines and rules relating to identifying and mitigating the impacts of de-energization to customers with access and functional needs, including customers who rely on electric life-sustaining equipment.²⁵⁵

²⁵⁵ Government Code Section 8593.3(f)(1): "Access and functional needs population" consists of individuals who have developmental or intellectual disabilities, physical disabilities, chronic

The staff's proposal is set forth below:

G. *Medical Baseline and Access and Functional Needs (AFN) Communities*

1. *The following groups must be included in each electric investor-owned utility's identification efforts, in addition to the existing requirement for each such utility to "identify, above and beyond those in the medical baseline population":*
 - *Persons reliant on electric life-sustaining equipment, persons eligible for the medical baseline program.*
2. *Each electric investor-owned utility must build partnerships with CBOs and healthcare providers, including but not limited to, those from county-level health and human services departments, public health departments, healthcare facilities, and clinics, to lessen the impact of de-energization events, and to improve outreach and assistance for AFN communities, and medical baseline eligible customers.*
3. *Each electric investor-owned utility must use its own list(s) of customers in groups subject to identification efforts and work with CBOs that conduct outreach in these AFN communities to identify customers who reside in multi-family buildings and rely on elevators to access or leave their residence. Each electric investor-owned utility must include its list in its pre-season report.*
 - a. *Each electric investor-owned utility must contact the building manager of the building(s) identified herein in preparation for wildfire season to ensure such facilities: 1) have forewarning, and 2) discuss backup generation resource options. Each utility must additionally notify these building managers prior to conducting a de-energization event.*
 - b. *Each electric investor-owned utility must provide information to paratransit agencies serving all the tenants*

conditions, injuries, limited English proficiency or who are non-English speaking, older adults, children, people living in institutionalized settings, or those who are low income, homeless, or transportation disadvantaged, including, but not limited to, those who are dependent on public transit or those who are pregnant.

of the buildings identified herein should any tenant need access to a community resource center during a de-energization event.

4. *Each electric investor-owned utility must launch a program to support resiliency for customers that rely on medical equipment to sustain life, by providing them free backup batteries that energizes such medical equipment for at least six hours. This shall be reported in progress reports and post-season reports.*

6.7.2. Party Comments

In general, parties most concerned with minimizing the impacts of proactive de-energization on customers with access and functional needs assert the proposed guidelines and rules are inadequate for this objective, while the IOUs propose modifications that would reduce the proactive actions they must take to notify and assist customers with access and functional needs.

Regarding proposed guideline/rule G.1, SDG&E states it will continue to enable customers to self-identify as living with an access or functional need, and it will continue to promote its Medical Baseline program. SCE states it has no direct way to identify customers that rely on electric powered medical equipment or that are eligible for the Medical Baseline program unless they inform SCE; because of this, SCE asserts the Commission should not adopt a compliance requirement that “is not within the control of the IOUs.”²⁵⁶ PG&E recommends revisions to the staff proposal that reflect a similar notion that customers must identify themselves as either having a person living with a disability in the household, or having signed up to receive an in-person visit before disconnection for non-payment.

²⁵⁶ SCE Opening Comments at 11.

SDG&E states it has no objections to proposed G.2. PG&E does not recommend any modifications, and SCE does not address this proposed guideline/rule.

Regarding the staff's proposal to identify customers residing in multi-family buildings who rely on elevators to access or leave their residence, PG&E and SCE assert this requirement goes beyond both their and their CBO networks' scope and capabilities. PG&E also emphasizes that its outreach is focused on account holders, which may or may not be the building manager of multi-family buildings. SDG&E similarly recommends against using its own list to identify customers, and instead to utilize partnerships with CBOs and paratransit agencies to identify customers in these groups. SDG&E states it will emphasize availability of address-level PSPS notifications to building managers and tenants, in addition to its notifications to all impacted customers. SCE asserts the requirement to provide information to paratransit agencies is duplicative and costly and should not be adopted; instead, SCE states IOUs should work with CBOs that support vulnerable populations, and hold informational workshops, to disseminate information regarding resiliency, safety, and resources during PSPS events.

Regarding the proposed requirement to provide free backup batteries for medical equipment that customers require to sustain life, many parties argue a minimum of six hours is wholly inadequate; these parties argue instead for up to 24 hours, or more generally sufficient battery life to last for the duration of any PSPS event.²⁵⁷ PG&E and SDG&E both assert the minimum six-hour requirement is arbitrary, and PG&E recommends removing this requirement;

²⁵⁷ Acton Town Council Opening Comments at 19-20; Santa Clara County Reply Comments at 7.

both PG&E and SDG&E instead advocate for flexibility to customize their backup power programs. SCE recommends clearly defining the scope of the backup battery program to serve customers that are most in need of such devices and cannot afford them; SCE recommends the Commission adopt its eligibility requirements for its current battery backup program, which provides fully subsidized backup batteries to customers that: (1) are enrolled in Medical Baseline, (2) are income-qualified, and (3) reside in a High Fire Risk Area.

Acton Town Council urges the Commission to dismiss much of IOUs' recommended revisions, in particular regarding proposed guideline/rule G.3., arguing the IOUs provide little to no justification for these recommendations. Acton Town Council counters the suggestion that IOUs cannot feasibly identify multi-family building residents relying on elevators, asserting that local governments have records regarding elevator locations and building inspectors are required to inspect elevators at least bi-annually.

CSAC recommends that IOUs update any utility list(s) of AFN customers no less than monthly, in order to provide the most current information to the local governments.

CforAT asserts the IOUs have done nothing to provide additional support, or even supplemental notice, to medically vulnerable customers that are required to be identified, emphasizing the importance of increasing oversight of how the IOUs support these customers. CforAT also asserts it is unreasonable to place substantial expectations on community partners without directing IOUs to provide financial resources to these groups. CforAT further asserts the requirement to identify customers relying on elevators does not meaningfully support this population, without clarity on who should conduct these discussions, and the requirement to provide information to paratransit agencies

fails to acknowledge constraints on paratransit, which limits its utility in emergencies.

Disability Rights recommends providing additional guidance, in terms of specificity, with respect to nearly all the proposed guidelines and rules and recommends modifying the staff's proposal in guideline/rule G.4 to require IOUs to first assess the type of medical equipment utilized by individual customers in order to provide an adequate supply of battery backup. Disability Rights further urges that mitigation solutions be developed for customers who rely on refrigeration for medication and food, communications equipment, elevator access, and temperature regulation. Disability Rights also recommends the Commission require IOUs to provide payment for accessible hotel or motel stays for people with medical needs who may not be able to utilize backup power resources at home.

In reply comments, Joint CCAs agree with CforAT that the staff proposal in guideline/rule G.4. needs further development and it should focus on: 1) providing batteries with 24-hour capability for medical equipment; 2) providing portable 6-hour batteries paired with adequate transportation to CRCs or emergency centers, or medical facilities with adequate beds and charging facilities; and 3) providing portable 6-hour batteries paired with adequate transportation and vouchers to hotels with reliable power.

Joint Local Governments recommend revising the staff proposal in guideline/rule G.2. to clarify IOU efforts to "lessen the impact of de-energization events" and provide "assistance" for communities with access and functional needs and medical baseline customers must include partnerships with, and resources for, food-assistance organizations and organizations that serve access and functional needs populations. Regarding staff's proposal in guideline/rule

G.4., Joint Local Governments recommend, similar to Joint CCAs, that IOUs provide transport to and from CRCs if a PSPS event duration outlasts the capacity of a customer's battery system.

In reply comments, Rural Counties stresses that because CRCs are closed during nighttime hours, backup batteries must last longer than six hours. Rural Counties agrees with PG&E and SDG&E that utilities should be able to customize battery back-up programs to meet the needs of individual customers, but that providing such flexibility does not preclude the Commission from setting minimum standards.

Abrams notes that the proposed Education and Outreach guidelines and rules include after-event surveys and metrics in order to set performance-based standards for de-energization communications, and asserts communication measurements for medical baseline and AFN communities should similarly be results based rather than specifying the types of partnerships or the mode of communications. Specifically, Abrams recommends conducting surveys for specific customer segments to measure the quality of de-energization communications. At minimum, Abrams states, IOUs should provide the survey results to inform the setting of specific standards in a future phase of the guidelines and rules.

Regarding notifications for persons with access and functional needs, SCDD asserts the staff's proposal continues to be inadequate for the many Californians with a developmental disability because the proposals require customers to notify the IOU. Rather, SCDD asserts, the Commission should require IOUs to proactively notify the full AFN community to join their enhanced notification list. They recommend the Commission require IOUs to propose a detailed plan within six months after this decision on how they will

expand their notifications and what further services they could provide to keep Californians with developmental disabilities safe.

6.7.3. Discussion

In considering parties' comments on access and functional needs, our overriding concern is with the IOUs' efforts to mitigate the adverse impacts of proactive de-energization on customers and communities in areas where they shut off power. The Commission has identified such mitigation as a key aspect of an IOU's calculation that the benefit of de-energization outweighed potential public safety risks.²⁵⁸ Such adverse impacts often disproportionately impede the ability of persons who rely on electricity to survive or live independently; prolonged periods of de-energization can disrupt or jeopardize their necessary life functions, such as respiration. As another example, prolonged periods of de-energization prevent or, at best, seriously complicate the ability, of people who rely on medication that needs to be stored below room temperature, to maintain necessary life functions; this is an adverse impact of a prolonged PSPS event that disproportionately harms people who rely on such medication.

In D.20-05-051 the Commission directed IOUs to include various customer segments into their identification efforts, with a specific directive to work collaboratively with public safety partners, local governments, and representatives of people/communities with access and functional needs to identify assistance required by current and potentially eligible medical baseline customers during PSPS events. Further, in D.20-05-051, the Commission directed IOUs to submit an annual Access and Functional Needs plan, with quarterly updates, to detail their planned efforts to address people/communities with

²⁵⁸ D.12-04-024.

access and functional needs and vulnerable populations during PSPS events. The staff proposal seeks to add more specific requirements regarding identification of and support for persons reliant on electric life-sustaining equipment (staff proposal guidelines/rules G.1. and G.4.) and multi-family building tenants who rely on elevators to access or leave their residence (staff proposal guideline/rule G.3). These proposed guidelines and rules garnered highly divergent comments from parties representing access and functional needs interests, on the one hand, and the IOUs, on the other hand: the IOUs ask for flexibility in meeting the implicit objectives of the proposed guidelines and rules, while other parties recommend further and more specific guidance as a means to ensure the intent of the guidelines and rules is more clearly and specifically articulated. Some of these parties also assert the IOUs' past and current efforts are inadequate, suggesting a need for review of the extent to which they comply with our past guidance. Meanwhile, and in light of these divergent positions, there is value in the general notion advanced by Abrams that notification and mitigation efforts should be results-driven, that is, we need not be so prescriptive in terms of the "who" and the "how" if we instead focus on setting the high-level objective that IOUs ensure the various segments of persons/communities with access and functional needs and vulnerable populations are made aware of potential PSPS events and of where and how they can access critical information and support in preparation for and during a PSPS event. Whether these objectives are accomplished through partnerships with CBOs, administering programs that offer resiliency support directly to customers, or otherwise, we determine to afford flexibility to the IOUs. As one example, proposed guideline/rule G.3 would have the IOUs create and maintain lists of all multi-family building tenants who rely on an elevator, which implies

responsibility on the part of IOUs to ensure such individuals can continue to enter and exit from these buildings during a PSPS event. Such a requirement would ignore that building managers have certain requirements and responsibilities, independent of the PSPS guidelines and rules, to ensure safe access to and egress from the buildings they manage. While we urge the IOUs to make reasonable efforts to enable and encourage building managers to account for PSPS events in their required emergency operations plans or other required arrangements, we modify this requirement to instead focus, again, on a higher-level objective of working collaboratively with relevant stakeholders to ensure persons who rely on elevators are aware of the potential for PSPS events, that they receive event notifications and information about CRC locations, and that building managers are aware of programs that offer resiliency support.

Such flexibility must, however, be coupled with further direction for *working collaboratively with relevant stakeholders* to identify and pursue the optimal strategies for adequate and appropriate outreach, notifications, and mitigation of the adverse impacts of PSPS events on persons/communities with access and functional needs and vulnerable populations. This decision provides further guidance on the character of the IOUs' collaboration with public safety partners, local governments, groups representing access and functional needs and vulnerable populations, and other relevant stakeholders to achieve these high-level outcomes, and more specific instructions on what the IOUs' Access and Functional Needs plans and quarterly updates must address. This decision specifies that development of the IOUs' future Access and Functional Needs plans and quarterly updates must incorporate, at minimum, the six steps outlined in the Federal Emergency Management Administration's Comprehensive Preparedness Guide, i.e., forming a collaborative planning team,

understanding the situation, determining goals and objectives, developing the plan, plan preparation and approval, and plan implementation and maintenance.²⁵⁹ As part of forming a collaborative planning team, this decision requires that IOU representatives at the Senior Vice President level, or with comparable decision-making power over development and implementation of the Access and Functional Needs plans, meet at least quarterly with representatives of state agencies and community based organizations that serve and/or advocate on behalf of persons with access and functional needs. For the initial meeting, which must occur no later than September 30, 2021, the IOUs must invite representatives from the following entities; these entities may recommend additional groups, which the IOUs must reach out to and invite to also participate in this and subsequent meetings; the IOUs must also seek to invite additional groups and leaders with responsibility for access and functional needs based on the need(s) or issue(s) pertaining to the population(s) they serve, or that they otherwise identify as crucial to their collaborative planning team.

- State Council on Developmental Disabilities
- California Health and Human Services Agency
- California Governor’s Office of Emergency Services
- Disability Rights Education and Defense Fund
- Disability Rights California
- California Foundation for Independent Living Centers

²⁵⁹ See https://www.ready.gov/sites/default/files/2019-06/comprehensive_preparedness_guide_developing_and_maintaining_emergency_operations_plans.pdf.

As part of their invitations, the IOUs must inquire with the non-governmental entities whether and how they require financial support for their participation and assistance.

The purpose of these meetings will be to develop, implement, and review each IOU's Access and Functional Needs plans in accordance with the Comprehensive Preparedness Guide. In setting the high-level objectives of adequate and appropriate outreach, notifications, and mitigation of the adverse impacts of PSPS events on persons/communities with access and functional needs, the Commission will turn its focus to evaluating the results of the IOUs' efforts in terms of surveys and other reporting requirements intended to gauge the extent to which the IOUs are meeting our high-level objectives and the goals identified in their Access and Functional Needs plans.

We have modified the proposed guidelines and rules in general alignment with the high-level objectives and further directions for collaboration and the Access and Functional Needs plans, as described above.

The adopted guidelines and the modifications to the staff proposal, with additions (underlined) and removals (strikeout), are set forth below.

6.7.4. Adopted Guidelines and Rules

G. Medical Baseline and Access and Functional Needs (AFN) Communities

1. The following groups must be included in each electric investor-owned utility's identification efforts, in addition to the existing requirement for each such utility to "identify, above and beyond those in the medical baseline population":
 - Persons reliant on electricity to maintain necessary life functions, including for durable medical equipment and assistive technology~~-sustaining~~

~~equipment~~; and persons eligible for the medical baseline program.

2. Each electric investor-owned utility must build partnerships with CBOs and healthcare providers, including but not limited to, those from county-level health and human services departments, public health departments, healthcare facilities, and clinics, including those serving customers in one or multiple prevalent languages, to minimize ~~lessen~~ the impact of proactive de-energization events, and to improve outreach and assistance for people/communities with access and functional needs and vulnerable populations AFN communities, and medical baseline eligible customers. As part of these outreach efforts, each electric investor-owned utility must offer individuals the option to receive notifications regardless of whether they are an account holder.
3. Each electric investor-owned utility ~~must use its own list(s) of customers in groups subject to identification efforts and~~ work with local and tribal governments, state agencies and CBOs in areas they anticipate may be subject to pro-active de-energization to ~~that~~ conduct outreach in these AFN communities to identify customers who reside in ~~to~~ multi-family building account holders, building managers, and tenants with an overall objective of ensuring that tenants who ~~and~~ rely on elevators to access or leave their residence will receive PSPS notifications; outreach to building managers must include providing information about programs that offer resiliency support. ~~Each electric investor-owned utility must include its list in its pre-season report.~~
 - a. Each electric investor-owned utility must contact the account holder and must make reasonable efforts to contact the building manager of the building(s) identified herein in preparation for wildfire season to ensure such facilities: 1) have forewarning, and 2) provide details about discuss backup generation resource options. Each utility must additionally notify

these account holders, and make reasonable efforts to notify building managers, prior to conducting a proactive de-energization event.

4. ~~b.~~ Each electric investor-owned utility must provide proactive notification and impacted zip code information to paratransit agencies that may serve~~ing all the~~ known transit- or paratransit-dependent persons that may~~tenants~~ of the buildings identified herein should any tenant need access to a community resource center during a proactive de-energization event.
45. Each electric investor-owned utility must ~~launch~~ administer a program to support resiliency for customers that rely on electricity ~~medical equipment to sustain~~ maintain necessary life functions, including for durable medical equipment and assistive technology, by consulting with and offering ~~providing them~~ adequate and appropriate support and services in preparation for and during the anticipated duration of a PSPS event, and ensuring customers can use medical equipment for the duration of a PSPS event. Such support and services for each customer may include, for example, free backup batteries that energizes such ~~medical equipment for at least six hours,~~ transportation to a community resource center or other location of the customer's choosing, other forms of support identified in consultation with these customers, and any combination thereof. Each utility's program must include, at minimum, each of the aforementioned forms of support and services. Utilities are not required to include a process for enrollment in their programs. Utilities are also encouraged to share information about where and how to access critical information and support during a PSPS event.~~This shall be reported in progress reports and post-season reports.~~
6. Each electric investor-owned utility's annual Access and Functional Needs plans and quarterly updates must incorporate, at minimum, the six steps outlined in the Federal Emergency Management Administration's Comprehensive Preparedness Guide, i.e., forming a

collaborative planning team, understanding the situation, determining goals and objectives, developing the plan, plan preparation and approval, and plan implementation and maintenance. As part of forming a collaborative planning team, utility representatives at the Senior Vice President level, or with comparable decision-making power over development and implementation of the Access and Functional Needs plans, must meet at least quarterly with representatives of state agencies and community-based organizations that serve and/or advocate on behalf of persons with access and functional needs. The purpose of these meetings will be to develop, implement, and review each IOU's annual Access and Functional Needs plans in accordance with the Comprehensive Preparedness Guide.

6.8. Mitigation

6.8.1. Staff Proposal

The staff proposal includes a requirement that each IOU evaluate the impacts of proactive de-energization on transmission, and how to prepare for and mitigate those impacts, and to include this evaluation in its post-event report. The staff's proposal is set forth below:

H. Mitigation

- 1. Each electric investor-owned utility must evaluate the impacts of de-energization on transmission; evaluate how to mitigate and prepare for those impacts; include this evaluation in its post-event report.*

6.8.2. Party Comments

PG&E states it supports the proposal, while SDG&E states it already prepares for potential scenarios and requests clarification on the level of detail required for post-event reports. SCE does not address this proposal.

CSAC recommends requiring IOUs to mitigate the loss of cell phone service where cell phones are the primary method of receiving evacuation

warnings, by providing back-up power to cell transmission towers, or some other method to allow residents to receive evacuation warnings and other critical information. PG&E objects to this recommendation, noting that telecommunication providers have an independent obligation to ensure mitigations are in place for the continuity of wireless and wireline services.

CforAT asserts there has been insufficient focus on mitigation of harms caused by proactive de-energizations, and that the Commission has never provided any meaningful requirements for what constitutes adequate mitigation of harm for customers who have their power shut off. In particular, CforAT asserts the Commission must separately consider impacts of proactive de-energization on medically vulnerable customers, low-income and AFN segments. Joint Local Governments recommend establishing a claims process for customers, critical facilities, and local governments for de-energization related losses, or alternatively mandatory bill credits for food and medication replacement. NCPA suggests IOUs should study their systems and engage in analysis to determine the best ways to segment lines or redirect current to avoid de-energizing high-risk or high-impact areas to the greatest extent possible. Similarly, Rural Counties supports greater planning and mitigation to reduce the size, scope, and duration of PSPS events, and urge the Commission to focus on ensuring utility investment in hardening and resiliency are directed to circuits at greatest risk. SBUA identifies a list of information IOUs should address, including areas anticipated to be most subject to PSPS events based on planned-for utility service expansion, budgeted system upgrades, anticipated vegetation growth and management, and existing climate and weather projections. Abrams asserts the staff's proposal sets a low bar and lacks needed urgency.

6.8.3. Discussion

We first observe that the staff proposal set forth in guideline/rule H.1., which directs the IOUs to include their assessment and mitigation of transmission impacts in post-event reports, is more appropriately placed in the Reporting section (Section K of the staff proposal, and Section 6.11 herein). Second, the PSPS guidelines and rules, taken as a whole, are intended to provide direction to IOUs for how to mitigate the impacts of proactive de-energization on customers, for instance by specifying the form of outreach IOUs should undertake and directing IOUs to plan for the provision of community resource centers. Thus, it is awkward to have a separate section on mitigation, as proposed by staff, when the guidelines and rules as a whole are intended to mitigate the impacts of PSPS events.

We acknowledge the critique that the Commission has not provided meaningful guidance on what constitutes adequate mitigation of harms from proactive de-energization. We share these parties' interest in seeing the IOUs pursue wildfire mitigation strategies that minimize their reliance on de-energization. We maintain that actions aimed at minimizing IOUs' reliance on PSPS events by mitigating the risk of wildfires are appropriately addressed in other proceedings, such as the utilities' Wildfire Mitigation Plans and General Rate Case proceedings; for example, D.20-05-051, adopting the PSPS Phase 2 guidelines and rules, directed the IOUs to include in their Wildfire Mitigation Plans "specific short, medium, and long-term actions the utility will take to reduce the impact of and need for de-energization events to mitigate wildfire risk." Actions aimed at mitigating the risk and harm of PSPS events, among other issues, are within scope of this proceeding. With the PSPS guidelines and rules, our aim has been to develop a framework for mitigating the impacts of

PSPS events; many parties argue we should turn our focus toward ensuring compliance with the guidelines and rules, as they assert the IOUs have yet to fully implement existing guidelines and rules. Following adoption of the Phase 3 guidelines and rules, we will turn our focus toward ensuring all the PSPS guidelines and rules are implemented, including compilation and review of the guidelines and rules to facilitate future compliance reviews by SED, and clarifying or augmenting rules and guidelines where necessary.

6.8.4. Adopted Guideline or Rule

Proposed guideline/rule H.1 is more appropriately placed, and shall be moved, to the section addressing Reporting (Section 6.11, below).

H. Mitigation

- ~~1. Each electric investor-owned utility must evaluate the impact of de-energization on transmission; evaluate how to mitigate and prepare for those impacts; include this evaluation in its post-event report.~~

6.9. Notification

6.9.1. Staff Proposal

The staff proposal includes requirements to provide specific information to the public and to public safety partners as part of their notification efforts; and to standardize the format of such communications.

The staff proposal is as follows:

I. Notification

- 1. Each electric investor-owned utility must ensure that the public is able to access precise locality information of potential and active de-energization events. Each electric investor-owned utility must make every reasonable effort to avoid false-negative and false-positive communications.*
- 2. Each electric investor-owned utility must make every attempt to provide notification of the cancellation of a de-energization event, or removal from scope, by notifying all affected entities,*

including the public safety partners, within two hours of the decision to cancel.

- 3. Each electric investor-owned utility must develop a notification plan jointly with Cal OES, public safety partners, county, tribal, and local governments, independent living centers, paratransit agencies, and representatives of all subsets of people or communities with access and functional needs. Each electric investor-owned utility must finalize its notification plan in its pre-season report.*
- 4. In addition to notifying and coordinating with the CAISO, each electric investor-owned utility, at a minimum, must provide priority notification with transmission-level customers when considering de-energization of the customers' facilities; the notification must occur, to the extent possible, at least 48-72 hours in advance of the de-energization event.*
- 5. Each electric investor-owned utility must update its notifications uniformly across platforms, for example, public facing notifications should be updated as soon as portal notifications are updated so that customers obtain the same information regardless of how they receive or source the information.*
- 6. Each electric investor-owned utility must update public facing notifications immediately after private notification to Public Safety Partner emergency managers. Such notifications must be coordinated, consistent, and transparent.*
- 7. To the extent feasible, prior to de-energization, each electric investor-owned utility must provide, in a standardized format, notices to public safety partners containing the following information:*
 - a. Consolidated lists of impacted meter information, device information, and address information;*
 - b. Estimated time intervals for de-energization, re-energization, and "all clear" notices;*
 - c. Links to corresponding information in electric investor-owned utility portals; and*

- d. Maps and shapefiles with each notice from the outset (i.e., from the 72-hour notice through the restoration of service).*
- 8. De-energization notices sent to public safety partners must be consolidated to the extent possible for each event, as opposed to being sent serially.*
- 9. When communicating with public safety partners, each electric investor-owned utility must ensure that all electronic files and email subject lines use clear file-naming conventions that differentiate between events and include the time of the update.*
- 10. Each electric investor-owned utility must, if they have not already done so, establish a portal for public safety partners to view information as well as provide an Application Programming Interface (API) for public safety partners to automatically import data.*

6.9.2. Party Comments

In general, parties representing local governments and various customers' interests support the IOUs providing more detailed information in notifications and providing this notice as much as possible in advance, while the IOUs generally focus their comments on the feasibility of carrying out the staff's proposal.

CLECA and EPUC stress the importance of accuracy and specificity, and the need to reach as many affected customers as possible. CLECA and EPUC also request notification requirements, similar to their suggestions for the staff proposal set forth in guideline/rule I.4., for re-energization. EPUC, although supportive of the notion of "reasonable effort" with respect to avoiding false-negative and false-positive communications, asks for more specific guidance on what would be deemed reasonable.

CforAT stresses that notice alone is insufficient, particularly for vulnerable customers, and without support and mitigation, the IOUs externalize the risks of

PSPS events to customers. CforAT also stresses that, while clarification may improve implementation, there is an equally if not more important need to ensure IOUs comply with whatever requirements the Commission establishes.

Disability Rights recommend including durable medical equipment vendors and additional agencies that serve individuals who receive Medi-Cal home and community-based services in notification plan efforts.

Joint CCAs express support for the staff's proposal set forth in guidelines/rules I.1. and I.7.

Joint Communication Parties recommend the Commission require the IOUs to post daily, on their websites, a seven-day PSPS potential rolling forecast, as PG&E currently does, and to notify public safety partners when an entire event is cancelled or when an area of the de-energization footprint is removed from scope. Joint Communication Parties also note that the high volume of notices - sometimes hundreds for a single event - is inefficient and potentially quite harmful for purposes of event preparation. To remedy this, Joint Communication Parties recommend that notices to carriers regarding meters potentially impacted by a PSPS event should contain a single cumulative list of all such meters in the body of the email and provide a secure link to a downloadable file containing all county, location, and meter details for each potentially impacted meter. Joint Communication Parties also stress the importance of standardization of PSPS notices and reports, asserting that inconsistencies and irregularities complicate communications providers' efforts to mitigate the impacts of a PSPS event; they recommend a specific convention for the subject line of the required 24-48 hour and re-energization notices, and specific items of information to be included in each required notice.

Joint Local Governments recommend including real-time outage information and up-to-date maps in de-energization notifications. Joint Local Governments recommend that IOUs work with stakeholders separately to develop specific portions of their overall notification plan, suggesting that attempts to develop these plans as part of the Advisory Group meetings will be inefficient and may result in a less robust plan. Joint Local Governments stress that notifications to local governments should not be tied to Cal OES's preferred notification schedule. Joint Local Governments recommend deleting the staff's proposal set forth in I.6., asserting that requiring IOUs to update public facing notifications immediately after sharing this same information with public safety partners will result in the utilities providing less meaningful information to public safety partners. Joint Local Governments explain that local emergency managers are responsible for planning an entire city's or county's response to a proactive de-energization, therefore the time between receiving notification from the IOUs and when the IOUs update public facing notifications is a crucial window during which they must prepare both for the event and for the likely inundation of phone calls and emails from residents seeking more information. Joint Local Governments explain further that the nature of communications will change, likely for the worse, with staff proposal set forth in guideline/rule I.6., because IOUs will only provide one-way, "polished" or public-ready information, which is far less useful than the two-way communication of on-the-ground impacts, logistics, operational issues, or specific community needs that Joint Local Governments state they have managed to achieve with PG&E and SCE over the last two years.

NCPA stresses that the Commission must ensure IOUs comply with the PSPS guidelines and rules, and specifically that they provide access to their

public safety partner secure web portals to all public safety partners in a timely fashion.

Rural Counties is generally supportive of the proposed guidelines and rules, but express concern that existing notification guidelines and rules stop short of establishing hard requirements for pre-event customer notifications.

PG&E states it generally supports the proposed guidelines and rules for notifications and focuses its comments and recommendations on matters relating to technical feasibility of a proposed guideline/rule and/or a desire to further work out the specifics with stakeholders. Most notably, regarding the staff proposal set forth in guideline/rule I.4., PG&E asserts it is not feasible to provide transmission-level customers notifications on the same timeline as all distribution-level notifications, and not as early as 48-72 hours in advance of the event because of the need to perform direct impact, indirect impact, system protection studies, and operational setups. Regarding the staff proposal set forth in guideline/rule I.9., PG&E states the proposed changes will approximately double the estimated time for updating its PSPS secure web portal with new information, thus delaying the usefulness of the secure portal to public safety partners. PG&E suggests instead to evaluate this proposed requirement with its PSPS Portal Working Group.

SDG&E is generally supportive of the staff's proposals but requests clarification on the proposal set forth in guideline/rule I.4, noting that impacts from de-energization of transmission facilities to distribution customers are difficult to determine 48-72 hours in advance of a potential event. SDG&E also cautions that providing detailed maps with the 72-hour notice will likely lead to an increase in false alarms. SDG&E suggests, instead, that areas identified as potentially in scope at the 72-hour mark should be identified as a "PSPS Watch,"

meaning a PSPS event is possible, and as forecast confidence increases during the interval between the 72-hour mark and the 48-hour mark, maps and shapefiles will be refined to reflect a “PSPS Warning,” where applicable, meaning a PSPS event is likely.

SCE requests flexibility with regard to proposal set forth in guideline/rule I.7., noting that because it pertains only to public safety partners, SCE may be able to provide the required information in a more efficient manner through its Public Safety Partner secure web portal, which it is currently developing and, according to its Corrective Action Plan, will launch by September 13, 2021.²⁶⁰

6.9.3. Discussion

Most parties are generally supportive of proposed guideline/rule I.1, although EPUC requests further guidance as to what might constitute “reasonable effort” with respect to avoiding false-negative and false-positive communications. As discussed in Section 6.4, regarding definitions, this decision finds the terms “false-positive” and “false-negative” to more likely cause confusion than aid in mutual understanding of the extent to which the IOUs are providing accurate and timely notifications. Related to this, we acknowledge SDG&E’s suggestion to utilize a “watch” and “warning” system similar to the National Weather Service, as well as Joint Communications Parties’ suggestion to require the seven-day rolling forecast that PG&E currently implements. Although SDG&E cautions against “warning fatigue,” we maintain that the value of enabling the public to prepare for potential de-energizations likely outweighs any costs of such fatigue, especially when coupled with an understanding that the certainty of the IOUs’ forecasting, of where they may

²⁶⁰ R.18-12-005 *Southern California Edison Company’s (U 338-E) Corrective Action Plan*, filed February 12, 2021, at 59.

need to de-energize, typically increases over the course of a week-ahead forecast of weather conditions that may lead to de-energization. Therefore, we find it is reasonable to provide further guidance that IOUs, in communications with the public, must make reasonable efforts to distinguish between potential de-energizations, based on week-ahead or 72 hour-ahead forecasts, and more likely de-energizations, based on 48- or 24-hour ahead forecasts.

Regarding the staff's proposal set forth in guideline/rule I.2., PG&E expresses concern with the requirement to notify public safety partners within two hours of a decision to cancel a proactive de-energization, and recommends, instead, we set a "goal" of four hours rather than a requirement. Although we acknowledge the sequencing of communications, as PG&E explains, may make it impractical to provide notification of a cancellation within two hours of the decision, we do not find it necessary to modify the proposal set forth in guideline/rule I.2. because, as PG&E acknowledges, the language already specifies "make every attempt," thus it is already not a strict requirement.

Regarding the staff's proposal set forth in guideline/rule I.3., Disability Rights propose including durable medical equipment vendors and agencies that serve individuals who receive Medi-Cal home and community-based services in the IOUs' notification plan efforts. No party opposes such inclusion, and we agree it is important to consult with these groups on the information and notification needs of persons who rely on these groups' services. We have modified proposed guideline/rule I.3 to specify inclusion of these groups, as recommended by Disability Rights.

Regarding priority notification to transmission-level customers, CLECA and EPUC request further details be provided with such notifications, arguing such information is crucial to transmission-level customers' own preparation

needs. None of the electric IOUs respond to these requests in their reply comments, however we note PG&E's more general opposition to providing priority notifications to all transmission-level customers, based on its stated need to evaluate and assess system impacts within the 72-hour-ahead timeframe. We have modified proposed guideline/rule I.4 to require that priority notifications for transmission-level customers include, to the extent possible, the expected start time of de-energization and of re-energization; further, to the extent possible, the IOUs must provide notification within two hours after they have begun surveying de-energized lines. All of the IOUs must work together with transmission-level customers to understand their specific information needs and to develop a feasible notification plan, as required by the staff proposal set forth in guideline/rule I.3., to address those needs. In response to SDG&E's request for clarification, we clarify that advanced notification to distribution customers impacted by de-energization of transmission facilities is not required, and the staff's proposal at guideline/rule I.4. applies even if de-energization is not anticipated to result in any customer impacts. We do not see a need to modify the proposal set forth in guideline/rule I.4. as PG&E requests, as the language already specifies "to the extent possible" and "48-72 hours."

Joint Local Governments recommend specific modifications, to the proposal set forth in guideline/rule I.5., which provide further guidance as requested by SCE. We have modified proposed guideline/rule I.5 in accordance with Joint Local Governments' recommendation, and we acknowledge PG&E's caution that there may be some latency issues that prevent it from updating all of its various notifications simultaneously. It is our expectation that any latency issues should be minimal, such that there is not a significant delay between

updating one type of notification as opposed to another (e.g., websites and notifications to the media).

Joint Local Governments raise a serious concern with the staff's proposal set forth in guideline/rule I.6., asserting that the requirement to provide information to the public immediately after such information is provided to public safety partners will cause IOUs to be less forthcoming in their communications with local emergency managers, and thus seriously degrade public safety partners' ability to prepare for a potential event. Several parties echo this concern in their reply comments. No party opposes deleting this proposal. We have no intention to degrade public safety partners' ability to prepare for a potential event and, given the serious and credible concerns raised by Joint Local Governments, we delete the proposal in guideline/rule I.6.

We address parties' comments on the staff proposal set forth in guidelines/rules I.7. and I.9. jointly, as these recommendations both relate to the way in which the IOUs provide notifications to public safety partners. We first note all three IOUs' emphasis on utilizing their public safety partner secure web portals as the preferred means for providing the items of information included in the staff's proposal in guideline/rule I.7. Most parties that represent public safety partners seem amenable to receiving/retrieving the items of information included in proposal set forth in guideline/rule I.7. via the public safety partner secure web portals, which we expect should attenuate the concern raised by Joint Communication Parties regarding the inefficiency of receiving a high volume of notifications, some of which may only contain information about a single meter. But parties further emphasize the need for standardization of email subject lines and of electronic files. To this, PG&E asserts that the changes in staff's proposal in guideline/rule I.9. will "approximately double the estimated time for

updating the PSPS Portal with new information, which contradicts other feedback regarding the importance of timely data sharing with” public safety partners.²⁶¹ PG&E recommends modifying the proposal in guideline/rule I.9. to instead focus on clarifying when specific data was last validated as current or updated. In reply comments, Joint Communication Parties acknowledge the technical challenge cited by PG&E in using standardized file naming conventions but reiterate the need of their members to be able to readily identify the type of information contained in files that may be accessed from the public safety partner secure web portals. Evident from the above comments is the overriding need of public safety partners to obtain as much up-to-date information as efficiently as possible. We maintain that this may be achieved, at least in part, by using a standardized naming convention for notification emails and for electronic files accessible through the public safety partner secure web portals, therefore, we find IOUs must make reasonable efforts to do so. At the same time, we have no intention to restrict and indeed we encourage the IOUs’ efforts to work directly with public safety partners to develop email templates and to design their public safety partner secure web portals to best meet public safety partners’ needs.

Regarding the staff’s proposal at guideline/rule I.8., PG&E notes it provides PSPS event data to public safety partners in disaggregated files (*e.g.*, a separate file for impacted critical facilities and infrastructure versus a file for updated situation reports), as this is the preferred format of its public safety partners. In reply comments, Joint Local Governments confirm PG&E’s statement and caution against suggesting that IOUs are required to consolidate

²⁶¹ PG&E Opening Comments at 20.

all files provided to public safety partners. We modify the staff's proposal at guideline/rule I.8. in response to these concerns.

Regarding the public safety partner secure web portals, no party recommends modifications to the staff's proposal set forth in guideline/rule I.10., which recommends requiring each IOU to establish such a portal. Although, as previously indicated, we see value in the IOUs' suggestion to utilize the portals as the primary means to share important information and updates with their public safety partners, we note that SCE does not anticipate launching its portal until September 2021, according to its Corrective Action Plan.²⁶² To the extent SCE is unable to launch its public safety partner portal prior to initiating any de-energization event in 2021, SCE must work with its public safety partners to develop workable alternatives for the anticipated 2021 wildfire season. We further acknowledge NCPA's comment regarding timely granting of access to the public safety partner secure web portals. We modify the staff's proposal to require that IOUs review and respond to requests for access to their portals within one business day.

6.9.4. Adopted Guidelines and Rules

IH. Notification

1. Each electric investor-owned utility must ensure that the public is able to access precise locality information of potential and active proactive de-energization events. Each electric investor-owned utility must make every reasonable effort to provide clear ~~avoid false-negative and false-positive~~ communications of potential proactive de-energizations, based on week-ahead forecasts, as distinct from more likely proactive de-energizations, based on 48- or 24-hour ahead forecasts. The utilities may provide this

²⁶² *Southern California Edison Company's (U 338-E) Corrective Action Plan*, filed February 12, 2021, at 59.

communication of potential proactive de-energizations by providing a seven-day proactive de-energization potential rolling forecast, or by implementing an escalating notification system similar to the National Weather Service's "weather watch" and "weather warning" system. This guidance regarding warnings of potential de-energizations does not modify or supersede requirements to provide customers with precise and accurate advance notifications regarding the location and estimated duration of an impending PSPS event, as required by D.19-05-042.

2. Each electric investor-owned utility must make every attempt to provide notification of the cancellation of a proactive de-energization event or the removal of the customer from the scope, by notifying all affected entities, including the public safety partners, within two hours of the decision to cancel.
3. Each electric investor-owned utility must develop a notification plan jointly with Cal OES, public safety partners, county, tribal, and local governments, independent living centers, paratransit agencies, durable medical equipment vendors, agencies that serve individuals who receive Medi-Cal home and community-based services, and other organizations representatives of all subsets of people or communities with access and functional needs. Each electric investor-owned utility must specifically describe its plans for notifications according to specific access and functional needs, for instance the needs of persons with vision impairments as distinct from the needs of persons with a developmental disability. Each electric investor-owned utility must finalize its notification plan for inclusion in its ~~pre-season~~ [current year] Pre-Season Rreport.
4. In addition to notifying and coordinating with the CAISO, each electric investor-owned utility, at a minimum, must provide priority notification to ~~with~~ transmission-level customers when considering de-energization of the transmission line serving the customers' facilities; the

notification must occur, to the extent possible, at least 48-72 hours in advance of the de-energization event. These notifications to transmission-level customers must, to the extent possible, include when the de-energization is expected to start and when re-energization is anticipated to occur. Each electric investor-owned utility must also, to the extent possible, provide notification to transmission-level customers within two hours after it has begun surveying de-energized lines.

5. Each electric investor-owned utility must, to the extent possible, update its notifications uniformly across related platforms, for example, public facing notifications on its website(s), in its notifications to the media, and in its notifications to local and tribal government Public Information Officers should be updated as soon as portal notifications are updated so that customers obtain the same information in a timely manner regardless of how they receive or source the information.
- ~~6. Each electric investor-owned utility must update public facing notifications immediately after private notification to Public Safety Partner emergency managers. Such notifications must be coordinated, consistent, and transparent.~~
- ~~7~~6. To the extent feasible, prior to de-energization, each electric investor-owned utility must provide, in a standardized format, notices to public safety partners containing the following information:
 - a. Consolidated lists of impacted meter information, device information, and address information;
 - b. Estimated time intervals for de-energization, re-energization, and “all clear” notices; and
 - ~~c. Links to corresponding information in electric investor-owned utility portals; and~~
 - d. Maps and shapefiles with each notice from the outset (i.e., from the 72-hour notice through the restoration of service).

Electric investor-owned utilities may provide the above information by including a link to the corresponding information in the utilities' public safety partner secure web portals. The electric investor-owned utilities must coordinate with public safety partners to develop a file naming convention and to standardize the format of files in a way that maximizes efficiency and ease of reference for public safety partners.

87. De-energization event information updates notices sent to public safety partners must be consolidated to the extent possible for each PSPS event, as opposed to disparate items of information being sent serially.
98. When communicating with public safety partners, each electric investor-owned utility must make reasonable efforts to ensure that all electronic files and email subject lines use clear file-naming conventions that differentiate between events and include the time of the update.
109. Each electric investor-owned utility must, as immediately as possible if they have not already done so, establish a secure web portal for public safety partners to view information as well as provide an Application Programming Interface (API) for public safety partners to automatically ~~im~~export data. Each electric investor-owned utility must review and respond to requests for access to their secure public safety partner portals within one business day of receiving a request.

6.10. Regional Working Groups

6.10.1. Staff Proposal

The staff proposal includes a recommendation that specifies the IOUs' quarterly working group meetings must primarily focus on management of proactive de-energization events and the issues set forth in the Phase 2 and 3 guidelines and rules. The staff's proposal is set forth below:

J. Regional Working Groups

- 1. The large electric investor-owned utilities' quarterly working group meetings must primarily focus on management of de-energization events and the issues set forth in the Phase 2 and 3 Guidelines.*

6.10.2. Party Comments

PG&E states it supports the proposal, provided it does not constrain its working group members' ability to streamline the engagement process to improve productivity and effectiveness of meetings. SDG&E supports the proposal. SCE does not address this proposal.

CforAT asserts there is little transparency about the work conducted in the working groups and recommends these groups be authorized to "focus on how to ensure that the IOUs do not continue to overly rely on the strategy of shutting off the power as a response to wildfire season, and how to balance" the risk of harm from utility-ignited wildfires against the harms of shutting off the power.²⁶³ Acton Town Council agrees the focus of these groups is too narrow.

Cal Advocates suggests the Commission clarify whether the proposal directs the working groups to undertake broader, unresolved Phase 2 tasks, such as development of reasonableness criteria, which Cal Advocates does not support but instead maintains that the Commission should undertake such activities in a formal public process.

NCPA suggests the Commission follow up with IOUs to ensure the working groups are engaging all of the necessary stakeholders, including transmission-impacted publicly-owned utilities and electric cooperatives.

In reply comments, PG&E elaborates on its request for flexibility, explaining it consolidated some PSPS and WMP stakeholder meetings to cover

²⁶³ CforAT Opening Comments at 22.

multiple topics simultaneously, such that every other working group meeting includes discussion of wildfire safety mitigation progress in each region, and invites additional participants including public works agencies and fire leadership. SDG&E takes issue with CforAT's claim that the working groups lack transparency, noting that it files and serves a report that details the agenda, presentations, discussions, and suggestions from each Regional Working Group session.

6.10.3. Discussion

We observe a common theme in PG&E's and CforAT's comments, which is that the value of the working groups is likely enhanced by further information sharing on the specific wildfire mitigation measures that the IOUs are implementing, whether this implementation may reduce the scale and/or scope of future PSPS events, as well as the risks and harms posed by shutting off the power. We have modified the staff's proposal to underscore this value. We acknowledge that expanding the scope of topics to be discussed may require more frequent or longer meetings, and we encourage the IOUs to modify their working group meetings, as needed, to adequately address the additional topics.

While we agree with Cal Advocates that topics such as the development of "reasonableness criteria" are more appropriate for formal deliberation in a proceeding, we do not see that clarification is needed on this point as the proposal specifically refers to "Phase 2 and 3 Guidelines."

We agree with NCPA that the working groups should include transmission-impacted publicly-owned utilities and electric cooperatives. We direct each IOU to review its lists of invitees for working group meetings scheduled to occur in 2021 and to identify any additional entities that should be invited to participate in the working groups.

We adopt the staff's proposal set forth in guideline/rule J.1., as modified (additions underlined and removals in strikeout), below.

6.10.4. Adopted Guideline or Rule

J. Regional Working Groups

1. ~~The large electric investor-owned utilities'~~ Pacific Gas and Electric Company's, San Diego Gas & Electric Company's, and Southern California Edison Company's quarterly working group meetings must primarily focus on management of proactive de-energization events and the issues set forth in the Phase 2 and 3 ~~guidelines and rules~~. The utilities shall also, to the greatest extent possible, share up-to-date information on wildfire mitigation measures they are undertaking that are intended to reduce the scale and/or scope of proactive de-energization events, and to receive input on the risks and harms posed by shutting off the power as well as suggestions for how these risks and harms can be mitigated. The utilities must invite transmission-impacted publicly-owned utilities and electric cooperatives to participate in their regional working groups.

6.11. Reporting

6.11.1. Staff Proposal

The staff proposal includes four guidelines and rules relating to a new pre-season and post-season report, and additional items of information to be included in post-event reports. The staff's proposal is as follows:

K. Reporting

1. *All reporting plans concurrently required to be included in the pre-season report herein, must be produced in a single document submitted by each electric investor-owned utility.*
2. *In its post-event reports, each electric investor-owned utility must provide:*
 - a. *Circuit-by-circuit analysis of mitigation provided from backup power and microgrid pilots, including history of*

de-energizations for each circuit for the preceding two-year time period.

- b. The number of customers notified in comparison to the number of customers de-energized. This information must be provided both via a map or maps and data table(s) that readily enable comparison on the same scale.*
- 3. Each electric investor-owned utility must file a comprehensive post-season report annually, no later than January 31. The report must follow a template provided by SED no later than 60 days after the issuance of the Phase 3 final decision.*
- 4. The post-season report must include, but will not be limited to:*
 - a. Implementation of all applicable guidelines and requirements imposed by the Commission;*
 - b. Statistics and data;*
 - c. Status of all electric infrastructure projects (planned, in-progress, or complete) related to mitigating impacts of de-energization events, such as sectionalization, microgrid installations, system hardening, situational awareness, lessons-learned in the previous year, and the resulting impacts, if any, on the size and scope of each de-energization event; and*
 - d. Program information about the provision of free, two-hour backup batteries to support resiliency for critical care customers that rely on medical equipment to sustain life.*

6.11.2. Party comments

Most parties generally support the concept of a “pre-season” report and a “post-season” report but seek clarification and/or consolidation of the various reporting requirements the Commission has imposed on the electric IOUs as part of the PSPS guidelines and rules. Most parties also request or recommend that Commission staff develop report templates for one or all of the reports.

Parties that express an interest in minimizing the use of PSPS events call on the Commission to require the electric IOUs to include more detailed information on the specific reason(s) an event was called, and metrics by which to assess the extent to which the electric IOUs' wildfire mitigation efforts are leading to, or will lead to, fewer and shorter PSPS events. Related to this, CforAT asserts the Commission must establish a forum to use the various required reports to address a process for consideration of how to move away from de-energization as a wildfire mitigation strategy. CforAT also asserts, similar to Cal Advocates and TURN, that the electric IOUs are still not providing certain information that they are currently required to include in post-event reports, thus hindering stakeholders' ability to assess lessons learned or the full impacts of PSPS events.

Below we summarize the more specific items of information that parties request be included in reporting requirements, organized generally according to the type of report in which each party asserts such information should be included.

Pre-season reports:

- EPUC recommends including a critical facilities plan in the pre-season report, and stresses that critical facilities must continue to include the full production chain of transportation fuels.
- NCPA recommends both the pre-season and post-season reports include detailed information about de-energization, including specific criteria and thresholds that were used to validate a de-energization event, including Black Swan thresholds.
- Cal Advocates recommend the electric IOUs be required to demonstrate the lessons learned from past de-energization events.

Post-season reports:

- Acton Town Council asserts the post-season report should include the status of distribution and transmission facility remediation activities.
- CLECA recommends these reports specifically identify any failures to implement the existing guidelines and rules and that this information inform future improvements.
- Rural Counties recommends that the purpose of these reports be to measure compliance with the guidelines and rules and progress towards reducing the size, scope duration and frequency of PSPS events. Rural Counties recommends that these reports:
 - identify circuits at greatest risk of de-energization during a PSPS event and include the number of times individual circuits were de-energized as well as risk-reduction plans for those circuits,
 - include specific information about the types of assistance provided to customers with access and functional needs, estimates of medical baseline and medically sensitive customers who did not receive any mitigation assistance (other than notification), and any communities or areas not served by utility partnerships with CBOs that provide such assistance.
- NCPA recommends both the pre-season and post-season reports include detailed information about de-energization, including specific criteria and thresholds that were used to validate a de-energization event, including Black Swan thresholds

Post-event reports:

- In addition to a comparison of the number of customers notified and the number of customers de-energized, CforAT identifies a need to consider the number of customers who received some form of notice, but not adequate notice as required by the PSPS guidelines and rules.

- Cal Advocates recommends the electric IOUs be required to include:
 - The number and percentage, out of all customers de-energized, of customers outside of the High Fire-Threat District.
 - All requests for selective re-energization made by public safety partners during a de-energization event, whether each such request was granted or denied, and whether the IOU modified its public safety risk-to-benefit calculations when responding to each such request.
 - Maps that depict (1) areas where customers were sent a de-energization notification, (2) areas actually de-energized, (3) the time each area was de-energized, and (4) the time each area had its power restored.
 - A table showing the total number of customer accounts notified and the number of customer accounts de-energized, by customer type.
 - The circuit by circuit analysis should include a four-year rolling history of de-energization rather than the two-year timeframe specified in proposed guideline/rule K.2
- MGRA recommends the electric IOUs should provide full documentation of all damage occurring during a PSPS event, including photographs, a description of the cause, location, and predicted and measured wind speeds; and forecasted and measured maximum wind gust speeds for all circuits involved in PSPS.
- SBUA recommends the post-event reports should demonstrate that PSPS is used as a measure of last resort and provides benefits outweighing its significant public safety risks. Such demonstration should include:
 - A separate justification of the need to de-energize each circuit,
 - Identification of the specific pieces of equipment or portions of the circuit determined to be at risk for damage and malfunction,

- Discussion of how the weather predictions and damage risk modeling at 72 hours, 24 hours, and 12 hours prior to the event and during the event compare to the actual impacts experienced,
- Disclosure of all damage that occurred during the PSPS event, including to lines that were not de-energized,
- Identification of all actions that, in hindsight, could have obviated the need for the PSPS event,
- Detailed explanation, based on the actual vegetation contact and wind damage that occurred, of the likelihood of ignition and unplanned loss of power had transmission lines remained energized,
- Separate reporting of the number of commercial and industrial customer accounts that were de-energized.
- TURN recommends the electric IOUs be required to provide the number of non-CARE/FERA, CARE/FERA and Medical Baseline customers affected by the event per zip code

Most parties note the inconsistency between proposed guideline/rule K.4.d and proposed guideline/rule G.4 with respect to the minimum amount of time required to be provided by free backup batteries (*i.e.*, six hours in proposed guideline/rule G.4 versus two hours in proposed guideline/rule K.4.d).

The electric IOUs oppose many of parties' recommendations for further details to be included in post-event reports, asserting that the 10-day time limit to submit these reports is already very challenging to meet given the amount of information they are currently required to include. SDG&E and SCE request, in the event the Commission does expand the post-event reporting requirements, that the Commission extend the time limit to submit post-event reports to 15 days. SDG&E asserts that certain items of information, including a history of de-energized circuits and mitigations, is more appropriate for the post-season report than for post-event reports. SCE specifically opposes Rural Counties'

recommendation that electric IOUs be required to prepare “PSPS curtailment plans,” asserting this data is already required to be included in the electric IOUs’ WMPs.

6.11.3. Discussion

As previously mentioned, the preamble of the staff proposal includes two new annual reports, a pre-season report and a post-season report. We have removed those directives from the preamble and instead address reporting requirements in this section. We further determine to modify the name of each report to specify the period that each report is intended to cover, noting that the time period covered by “fire season” is likely to expand and have a variable duration each year. Each IOU shall file a [current year] Pre-Season Report (*e.g.*, “2021 Pre-Season Report”), which is generally intended to precede the onset of the current year’s fire season, and a [prior year] Post-Season Report (*e.g.*, “2020 Post-Season Report”), which is generally intended to follow and summarize the IOUs’ notification and mitigation efforts during the prior calendar year.

With the addition of two new annual reports, we agree with most parties’ expressed desire to review the various reporting requirements the Commission has previously imposed, and to organize reporting requirements within, generally, the [current year] Pre-Season Report (or “pre-season report,” for short), [prior year] Post-Season Report (or “post-event report,” for short), and post-event reports. An important aspect of this endeavor is to specify the purpose of each report. Based on our discussion in Section 4, this decision specifies that the purpose of the post-event reports is solely to facilitate SED’s review of PSPS events for assessing compliance with the PSPS guidelines and rules. We find that much of the information included in proposed guideline/rule K.2, as well as most of the information that parties recommend including in post-

event reports, does not facilitate such review; however, some of this information has value, and is more appropriate for the post-season reports, as SDG&E suggests.

In general, the purpose of the pre-season reports should be to describe all the actions the IOUs have taken, or are taking, in preparation for potential PSPS events during the upcoming wildfire season; as part of such description, the IOUs should specify lessons learned from past events, and how they are applying those lessons to their current preparations.

In general, the purpose of the post-season reports should be to describe all the actions the IOUs took with respect to calling PSPS events, including specific notifications and measures taken to mitigate the impacts of PSPS events on different customer segments and communities.

Apart from these general purposes, as described above, we infer from parties' recommendations a desire for greater transparency in many respects of the IOUs' notification and mitigation efforts, which we share. In the interest of transparency, we have modified proposed guidelines and rules K.1 and K.3 to include specific requirements aimed at facilitating our review of the effectiveness of the IOUs' notification and mitigation efforts.

In particular, we are concerned with, and have an interest in better understanding, the impacts of de-energization on those most vulnerable to its effects. We agree with TURN's recommendation to require the IOUs to report the number of non-CARE/FERA, CARE/FERA, and medical baseline customers affected by a de-energization event, per zip code. We have modified this slightly to instead require reporting by census tract, which will allow for comparison with both the CalEnviroScreen data regarding environmental justice, along with the Social Vulnerability Index, which does not incorporate pollution burden

indicators, but does incorporate several factors relating to household composition and disability.²⁶⁴ Further, we have added a requirement for the utilities to provide summary data in their post-season reports on the number of hours that customers were de-energized in a given month, again by census tract, as detailed below in the adopted guidelines and rules.

We note, however, that many of the items of information recommended by parties, relating to the factors and modeling the IOUs consider in determining whether to call a PSPS event, are already required elements of their Wildfire Mitigation Plans, and we do not seek to duplicate reporting requirements across different reports or proceedings.

The overall timing and structure of the various required reports shall be as follows:

- [Current year] Pre-Season Report, due July 1 of each year. This report shall include, as applicable,²⁶⁵ the annual reports required by Ordering Paragraphs 8, 21, 27, 30, 33, 36, 38, 41, 46, 47, 51, and 57 of D.21-06-014.
- [Prior year] Post-Season Report, due March 1 of each year. This report shall include the annual report required by Ordering Paragraph 66 of D.21-06-014.

The electric IOUs must file and serve both of the above annual reports in R.18-12-005 or its successor proceeding.

Additionally, and consistent with our discussion in Section 6.7, this decision adds specific requirements for the Access and Functional Needs plans and quarterly updates. Further, the IOUs must file and serve the Access and Functional Needs plans and quarterly updates, and quarterly regional working

²⁶⁴ <https://www.atsdr.cdc.gov/placeandhealth/svi/index.html>

²⁶⁵ The reporting requirements included in the decision issued in I.19-11-013 apply only to PG&E, SDG&E, and SCE.

group reports, both called for in D.20-05-051, in R.18-12-005 or its successor proceeding.

Several parties assert the Commission should provide a public process for developing the content and format of the reports. We agree that further input from stakeholders on potential additional required elements and the format of the annual reports is valuable. In terms of timing, we prefer to have the IOUs focus on preparing for, and ensuring they take all reasonable steps toward compliance with the PSPS guidelines and rules, during the upcoming wildfire season. Similarly, both SED staff and the IOUs will likely have the development of a template for the post-event reports as an immediate priority, per the proposed decision issued in I.19-11-013. SED staff is authorized to develop a report template, and as part of developing such template, SED is authorized to modify the reporting requirements, for both the [current year] Pre-Season Report and the [prior year] Post-Season Report; SED staff may seek stakeholder input as part of developing these templates. The electric IOUs must follow any such template within 60 days after SED posts the template to the Commission's website.

6.11.4. Adopted Guidelines and Rules

KJ. Reporting

1. All reporting plans concurrently required to be included in the [current year] Pre-Season Report ~~pre-season report~~ herein, must be produced in a single document submitted by each electric investor-owned utility. Specifically, these include the community resource center plan (A.1, A.3, and A.6), critical facilities plan (B.2), PSPS exercise reports (C.2), education and outreach-related surveys and accessibility efforts and associated costs (E.1, E.2 and E.3), and notification plans (I.3). The [current year] Pre-Season

Report must also include the following items of information:

- a. Description of lessons learned from past PSPS events, including feedback from impacted customers and stakeholders, and how the electric investor-owned utility has applied such lessons to its current and future efforts in preparation for the upcoming wildfire season.
- b. Identify circuits at greatest risk of de-energization during the upcoming wildfire season. Include the number of times each circuit was de-energized during the prior four calendar years, and describe all steps toward risk-reduction and de-energization mitigation for each circuit, including specific outreach and education efforts and efforts to identify and provide appropriate resiliency support to customers with access and functional needs on each circuit.
- c. Annual reports, as applicable, required by Ordering Paragraphs 8, 21, 27, 30, 33, 36, 38, 41, 46, 47, 51, and 57 of D.21-06-014.

Each electric investor-owned utility must file and serve its [current year] Pre-Season Report no later than July 1 of each year in R.18-12-005 or its successor proceeding. The report must follow a template provided by SED no later than 60 days after SED posts a [current year] Pre-Season Report template on the Commission's website. Parties may file comments on these reports within 20 days after they are filed, and reply comments within 10 days after the final date to file comments.

2. In its post-event reports, each electric investor-owned utility must provide:
 - a. ~~Circuit by circuit analysis of mitigation provided from backup power and microgrid pilots, including history of de-energizations for each circuit for the preceding two-year time period.~~

- ~~ba.~~ The number of customers notified in comparison to the number of customers de-energized. ~~This information must be provided both via a map or maps and data table(s) that readily enable comparison on the same scale.~~
3. Each electric investor-owned utility must file a comprehensive [prior year] Post-Season Report ~~post-season report annually~~, no later than January 31 ~~March 1~~ of each year, in R.18-12-005 or its successor proceeding. The report must follow a template provided by SED no later than 60 days after SED posts a [prior year] Post-Season Report template on the Commission's website ~~the issuance of the Phase 3 final decision~~. Parties may file comments on these reports within 20 days after they are filed, and reply comments within 10 days after the final date to file comments.

The [prior year] Post-Season Report ~~post-season report~~ must include, but will not be limited to:

- a. ~~Implementation of all applicable guidelines and requirements imposed by the Commission;~~ For each proactive de-energization event that occurred during the prior calendar year:
- i. Circuit-by-circuit analysis of mitigation provided from backup power and microgrid pilots
 - ii. Total number of customer accounts de-energized and median and maximum amount of time de-energized, total number of non-CARE/FERA customer accounts de-energized and median and maximum amount of time de-energized, total number of CARE/FERA customer accounts de-energized and median and maximum amount of time de-energized, total number of Medical Baseline customer accounts de-energized and median and maximum amount of time de-energized, and total number of customers who self-identified for advance notification (i.e., regardless of whether they are

the account holder) that were de-energized and median and maximum amount of time de-energized, all by census tract;

- b. Statistics and data; Description of the impact of de-energization on transmission, and evaluation of how to mitigate and prepare for those impacts in future potential de-energization events. Identify and describe all studies that are part of such analysis and evaluation, and all efforts to work with publicly owned utilities and cooperatives to evaluate the impacts of de-energization on transmission;
- c. Status of all electric infrastructure projects (planned, in progress, or complete) related to mitigating impacts of de-energization events, such as sectionalization, microgrid installations, system hardening, situational awareness, lessons learned in the previous year, and the resulting impacts, if any, on the size and scope of each de-energization event; Identification of all requests for selective re-energization made by public safety partners during a de-energization event, whether each such request was granted or denied, and the reason for granting or denying each such request; and
- d. Detailed description of all programs and/or types of assistance, including Program information about the offering and provision of free and/or subsidized, two-hour backup batteries, the Self-Generation Incentive Program Equity Resiliency Budget, Community Microgrid Incentive Program, hotel vouchers, transportation to CRCs, and any other applicable programs or pilots to support resiliency for persons with access and functional needs and vulnerable populations-critical care customers that rely on medical equipment to sustain life. Identify and describe the costs and associated funding source(s) for all partnerships, each unique program and form of assistance (e.g., backup batteries as distinct from hotel vouchers), and any other efforts aimed at mitigating

the impacts of PSPS events on persons with access and functional needs and vulnerable populations. Funding source(s) shall specify applicable utility balancing accounts or other accounting mechanisms, and non-utility funding sources, if applicable. Identify any communities or areas not served by utility partnerships with CBOs that provide assistance to persons with access and functional needs or vulnerable populations in preparation for or during a PSPS event;

- e. Geospatial data (i.e., a shapefile or geodatabase) by census tract comprising 1) maximum number of de-energization events impacting any customer account in each month, 2) maximum number of hours that any customer account was de-energized in each month, 3) minimum number of hours that any impacted customer account was de-energized in each month, 4) median number of hours that all impacted customer accounts were de-energized in each month, 5) total number of customer accounts and total number of hours (summed among all these customer accounts) de-energized in each month, 6) total number of CARE/FERA customer accounts and total number of hours (summed among all these customer accounts) de-energized in each month, 7) total number of Medical Baseline customer accounts and total number of hours (summed among all these customer accounts) de-energized in each month, 8) total number of customers who self-identified for advance notification (i.e., regardless of whether they are the account holder) and total number of hours (summed among all these customer accounts) de-energized in each month. This file need not include columns for months during which no de-energization event impacted any customer account;
- f. Annual report, as applicable, required by Ordering Paragraph 66 of D.21-06-014.

To the extent a required item of information is also

required to be included in the electric investor-owned utility's Wildfire Mitigation Plan, the [prior year] Post-Season Report may refer to the electric investor-owned utility's Wildfire Mitigation Plan rather than repeat the same information; such reference must specify, at minimum, the page and line number(s) for where the required information is contained within the electric investor-owned utility's Wildfire Mitigation Plan. In cases where this reference is to data, a summary table of the data shall be provided in the report.

4. Each electric investor-owned utility must file and serve its annual Access and Functional Needs plan and quarterly updates.
 - a. Each utility's annual Access and Functional Needs plan must incorporate the six steps of the Comprehensive Preparedness Guide, and must include:
 - i. Survey results and metrics, covering the prior calendar year, that indicate the extent of progress toward the goals or objectives agreed to as part of the requirements articulated in guideline/rule G.5. Until such goals or objectives are established, the utilities must report specifically on the following:
 - a) The percentage of customers with access and functional needs who were aware that their utility may de-energize their system as a wildfire mitigation measure; the percentage of customers with access and functional needs that were aware of what support and resources were available to them during de-energization; and reasons why specific customers or customer segments were not aware. To the extent possible and consistent with protecting customer privacy, the electric investor-owned utilities must track and report survey results according to specific access or functional needs, for instance the reasons why persons with a vision

impairment were not aware as distinct from reasons why persons with a developmental disability were not aware.

- b) The percentage of customers with access and functional needs who confirm they received notifications of a possible de-energization event; reasons why specific customers or customer segments did not confirm they received notification (irrespective of whether the utility provided them notification); and customer feedback regarding how to provide notifications more effectively (i.e., in a manner that meets customers' specific needs). To the extent possible and consistent with protecting customer privacy, the electric investor-owned utilities must track and report survey results according to specific access or functional needs, for instance the reasons why persons with a vision impairment did not receive notification as distinct from the reasons why persons with a developmental disability did not receive notification.
- c) The percentage of customers who rely on electric equipment to maintain necessary life functions and who were able to utilize such equipment, or were otherwise able to maintain necessary life functions, for the duration of any de-energization event that affected them; and reasons why specific customers were not able to utilize such equipment for the duration of any de-energization event that affected them. The electric investor-owned utilities must extend an invitation to customers who received free backup batteries or other resiliency support items or services (e.g., hotel vouchers, transport to and services provided at CRCs) to participate in a survey, to assess the extent to which such items or support met their needs for the

duration of any de-energization event that affected them.

- ii. A summary of the most recent quarterly meeting required by guideline/rule G.5, including names of all participants, the group(s) they represent, and their job titles; action items or other agreed upon next steps for achieving higher-level outcomes and/or pursuing larger strategies, including the responsible person(s) for executing each item and a target date or timeframe for execution of each item
 - iii. Specific goals or targets with respect to awareness among the various segments of persons with access and functional needs about PSPS events, awareness of where and how to access critical information and support in preparation for and during PSPS events, and the extent to which they are able to maintain necessary life functions throughout the duration of a PSPS event.
 - iv. Data on participation in each program and/or utilization of each type of assistance, including free and/or subsidized backup batteries, the Self-Generation Incentive Program Equity Resiliency Budget, Community Microgrid Incentive Program, hotel vouchers, transportation to CRCs, and any other applicable programs or pilots to support resiliency for persons with access and functional needs and vulnerable populations, by census tract.
- b. Each utility's quarterly Access and Functional Needs plan update must include, at minimum:
- i. A summary of the most recent quarterly meeting required by guideline/rule G.5, including names of all participants, the group(s) they represent, and their job titles; action items or other agreed upon next steps for achieving higher-level outcomes and/or pursuing larger strategies, including the responsible person(s) for executing each item and a target date or timeframe for execution of each item.

ii. Update on progress toward specific goals or targets identified in the most recent Annual Access and Functional Needs plan.

5. Each electric investor-owned utility must file and serve its quarterly regional working group reports in R.18-12-005 or its successor proceeding.

7. Comments on Proposed Decision

The proposed decision of Commissioner Marybel Batjer in this matter was mailed to the parties in accordance with Section 311 of the Public Utilities Code and comments were allowed under Rule 14.3 of the Commission's Rules of Practice and Procedure. Comments were timely filed by Acton Town Council; Cal Advocates; CLECA; CforAT; Disability Rights California; EPUC; Golden State Power; CTIA, Frontier, Consolidated Communications of California Company and the Small LECs, California Cable & Telecommunications Association, and AT&T California; Counties of Kern, Marin, Mendocino, Napa, Nevada, San Luis Obispo, Santa Barbara, and Sonoma, and the Cities of Santa Rosa and Simi Valley (jointly, Local Governments); Mussey Grade; NCPA; PG&E; PacifiCorp; Rural Counties; SDG&E; SBUA;²⁶⁶ Sonoma Clean Power Authority, Peninsula Clean Energy Authority, Pioneer Community Energy, and East Bay Community Energy (jointly, CCAs); and SCE. Reply comments were filed on June 15, 2021 by Cal Advocates; CLECA; CSAC; CforAT; the Coalition of California Utility Employees; Santa Clara County; Frontier, Consolidated Communications of California Company and the Small LECs, California Cable & Telecommunications Association, and AT&T California; Local Governments; Mussey Grade; NCPA; PG&E; SBUA; SCE; and TURN. Modification to the proposed decision have been made consistent with all applicable laws.

²⁶⁶ SBUA requested and was granted permission to late-file their comments, on June 11, 2021.

8. Assignment of Proceeding

Marybel Batjer is the assigned Commissioner and Regina DeAngelis, Valerie U. Kao, Marcelo L. Poirier and Brian Stevens are the assigned Administrative Law Judges in this proceeding.

Findings of Fact

1. With respect to reviewing past PSPS events, SED's role is to determine whether utilities complied with the PSPS guidelines and rules.
2. Compiling the guidelines and rules in Resolution ESRB-8, D.19-05-042, D.20-05-051, this decision, and any other applicable Commission decisions into one document will aide parties' and public understanding of the Commission's PSPS guidelines and rules.
3. CRCs are intended to be community oriented, broadly accessible, and serve the safety needs of people/communities with access and functional needs and vulnerable populations.
4. The rules and guidelines applicable to CRCs are intended to enhance the decision-making process by IOUs concerning the location and services provided at CRCs, improve the ability of customers to access electricity when CRCs are closed at 10 p.m., increase the transparency of the location and services provided at CRCs by adopting additional reporting requirements, and clarify the relationship between local jurisdictions and IOUs when establishing the details pertaining to CRCs.
5. Providing additional information to the public in the guidelines and rules about how to be designated as critical facilities and infrastructure will promote public safety related to PSPS events but various opinions exist on the best way to achieve this goal.

6. The staff's proposal that IOUs include a process or application on a webpage for customers to "self-certify" as critical facilities and infrastructure is modified to account for the concerns of IOUs that this process might cause confusion and, possibly, misunderstandings between IOUs and customers.

7. Within the context of PSPS events, a critical connection exists between IOUs, transmission-level customers, and the critical facilities and infrastructure of these transmission-level customers.

8. An annual plan filed by IOUs with the Commission regarding critical facilities and infrastructure will enhance the safety of PSPS events.

9. Changes to the existing guidelines and rules pertaining to the activities associated with PSPS simulation exercises for purposes of testing and improving PSPS events are warranted.

10. Going forward, PSPS simulation exercises will be referred to as "PSPS exercises," rather than "de-energization exercises" to better convey that these exercises encompass activities occurring at times beyond just the time period of the power shut off when the IOU de-energizes the electric system.

11. Definitions for terms commonly used within the PSPS context are needed to improve communications and understanding between IOUs and stakeholders involved in PSPS events and continue the Commission's work to promote a shared understanding and language pertaining to PSPS events.

12. The staff's proposal to define the phrase "before re-energization begins" is overly vague.

13. The term "concurrent emergency" is intended to capture that other emergencies may arise during a PSPS event.

14. Revisions to the existing definition of "critical facilities and infrastructure" are warranted to address problems pertaining to the IOUs' interactions with

critical facilities and infrastructure identified by the SED Report on the 2019 PSPS events.

15. An expanded definition of critical facilities and infrastructure will enhance public safety.

16. The proposed definitions of the terms (1) false-negative communications and (2) false-positive communications fail to simplify the tracking of inaccurate, incomplete, unsuccessful, or incorrect notice pertaining to PSPS events.

17. Expanding the existing definition of “public safety partner” to add cities and all levels of local and tribal government is not needed because existing definitions include these entities, but a clarification is warranted.

18. The proposed definition of “timing of each de-energization event” for purposes of post-event reporting fails to clearly express the beginning and end of a PSPS event and thereby fails to create uniformity around what constitutes a single PSPS event for purposes of post-event reporting requirements.

19. Defining the term “transmission-level” requires IOUs to provide priority notice to this additional group of customers.

20. To enhance education and outreach pertaining to PSPS events, additional directives are warranted, including the following: (1) IOU outreach in all prevalent languages; (2) IOU outreach in collaboration with community-based organizations and public safety partners; (3) IOU post-event outreach survey to evaluate the effectiveness of any prior outreach and education efforts; and (4) IOUs provide a report to the Commission with the results of these recommended post-event surveys.

21. Ongoing emergency management training is necessary for utility EOC staff to communicate effectively, accurately, and consistently with public safety partners before, during, and after a proactive de-energization event.

22. Uniform, synchronized methods of conducting State Executive Calls and providing statistical updates to state and federal executive partners are necessary for effective communication regarding a proactive de-energization event.

23. Mitigation of the adverse impacts of proactive de-energization is a key aspect of the calculation that the benefit of de-energization outweighs potential public safety risks.

24. De-energization has disproportionate adverse impacts on people who rely on electricity to maintain necessary life functions, such as respiration.

25. Further and more specific direction to the IOUs on the content and character of collaboration and preparedness planning for addressing persons/communities with access and functional needs and vulnerable populations with respect to proactive de-energization can enhance the IOUs' efforts to achieve adequate and appropriate outreach, notifications, and mitigation of the adverse impacts of proactive de-energization on persons/communities with access and functional needs and vulnerable populations.

26. The PSPS guidelines and rules, as a whole, are intended to provide direction to IOUs for how to mitigate the impacts of proactive de-energization on customers.

27. The value of enabling the public to prepare for potential de-energizations outweighs any costs of "warning fatigue," if such warnings distinguish between potential de-energizations, based on earlier but less certain forecasts, and more likely de-energizations, based on later but more accurate forecasts of fire conditions.

28. Timely notification of an IOU's decision to cancel a proactive de-energization is valuable for public safety partners.

29. Planning, in consultation with different stakeholders according to their varying needs, is crucial to ensuring adequate and appropriate notifications about PSPS events are provided to these different stakeholders.

30. Priority notification to transmission-level customers is crucial for enabling these customers to make necessary preparations for the customers they serve.

31. Timely and uniform updating of PSPS event information across related platforms is crucial to ensuring customers timely obtain the same information regardless of how they receive or source the information.

32. Requiring IOUs to update public-facing notifications immediately after updating public safety partners may degrade public safety partners' ability to prepare for a potential PSPS event.

33. Public safety partners need access to as much up-to-date information as possible, as efficiently as possible, to prepare for a potential PSPS event. This can be achieved, in part, by using a standardized naming convention for notification emails and for electronic files accessed by public safety partners, and by consolidating event information updates.

34. Providing important, up-to-date information and data regarding potential PSPS events through a centralized secure portal is valuable and can be more efficient than only sending email notifications.

35. Timely review and response by the IOUs, to requests for access to their secure public safety partner portals, is crucial to enabling public safety partners to prepare for potential PSPS events.

36. The value of the regional working groups will be enhanced by further information sharing on the wildfire mitigation measures the IOUs are implementing, efforts to include transmission-impacted publicly-owned utilities and electric cooperatives in these working groups, and by reviewing the IOUs'

current lists of invitees and identifying any additional entities that should be invited.

37. Further reporting on both past PSPS events and preparations for future potential PSPS events will enhance the Commission's and stakeholders' understanding of the adequacy and appropriateness of IOUs' outreach, notification and mitigation efforts, in particular regarding impacts on those most vulnerable to de-energization, and of the extent to which the IOUs are implementing the PSPS guidelines and rules.

38. Requiring reporting in the annual PSPS reports of the IOUs' plans and efforts to minimize the risk of wildfire and of the factors that IOUs consider in determining whether to call a PSPS event, as required to be included in their Wildfire Mitigation Plans, is duplicative of the Wildfire Mitigation Plan reporting requirements.

Conclusions of Law

1. D.19-05-042 should be modified to correctly refer to SED's role in conducting compliance reviews. A finding by SED that an IOU complied with PSPS guidelines and rules does not create a rebuttable presumption of reasonableness by an IOU, and an IOU may not raise a finding of compliance as an affirmative defense in any reasonableness review by the Commission.

2. Commission staff should be authorized to develop a compendium of the PSPS guidelines and rules contained in Resolution ESRB-8, D.19-05-042, D.20-05-051, this decision, and any other relevant decisions, rules or laws.

3. To build upon the current requirements and increase the transparency around CRCs, it is reasonable to adopt the staff's proposal that IOUs annually prepare updates to the CRC plans required in D.20-05-051.

4. The IOUs should file annual CRC plans and related updates as part of an annual report, as required at Section 6.11, herein, to enhance transparency around CRCs, enable the Commission and stakeholders to track important issues in advance of PSPS events related to the IOUs' provision of services and the actual locations of CRCs and, in addition, allow IOUs, the Commission, and stakeholders to evaluate the effectiveness of CRCs after PSPS events.

5. The staff's proposal should be clarified to include those entities that IOUs must consult with regarding CRC plans, including those entities previously identified in D.20-05-051, the additional entities identified in the staff's proposal, and respective local governments and health agencies.

6. The staff's proposal regarding CRC plans should be modified to specify additional entities that IOUs must consult with when IOUs decide the actual locations of CRCs and actual services provided in advance of a PSPS event (in contrast to the preparation of the CRC plans) to include local offices of emergency management and public health officials so that the decision-making of the IOUs is enhanced to consider the concerns of these entities.

7. The Commission's prior directive in D.20-05-051 that IOUs *may* provide, at a minimum, certain services at CRCs should be modified so that IOUs *must* provide, at a minimum, device charging stations that are capable of powering medical devices, cellular network services, water, chairs, PSPS information representatives, and restrooms because these services are basic necessities during PSPS events.

8. The staff's proposal that IOUs enter into contracts for CRCs in advance of fire season is beneficial but should be modified to permit contracting opportunities in advance of fire season with any entity or individual presenting a suitable location and space.

9. The staff's proposal that IOUs must abide by certain pre-determined weather-related thresholds when deciding whether to open indoor or outdoor CRCs should be modified to provide IOUs with more discretion and flexibility when making this decision to accommodate the possibility of rapidly changing weather and environmental conditions leading up to a PSPS event and to better protect the public safety in a changing weather environment.

10. The staff's proposal should be modified to require IOUs to proactively inform the public of where individuals can access electricity during the hours CRCs are closed.

11. To further protect people/communities with access and functional needs, the staff's proposal recommending that utilities *must coordinate* with local governments, tribal governments, local offices of emergency management, and public health officials to establish the services provided at CRCs should be strengthened to also require IOUs *to make best efforts to agree* with local governments, tribal governments, local offices of emergency management, and public health officials on what services and resources should be provided by the IOU at CRCs.

12. The staff's proposal should be modified to direct the IOUs to provide information to the public on the actual locations of CRCs and the services to be provided in advance of PSPS events.

13. The staff's proposal should be modified to require additional reporting metrics regarding CRCs to enhance the Commission's and the public's understanding of CRCs and bring issues, problems, and areas in need of improvements to the forefront for resolution on a more timely basis.

14. The staff's proposal to direct IOUs to develop a webpage providing additional information about critical facilities and infrastructure should be

adopted because it will promote a better understanding by customers of what constitutes a critical facilities and infrastructure customer.

15. The staff's proposal regarding critical facilities and infrastructure should be modified to require IOUs to document outreach to customers about whether customers should be designated as critical facilities and infrastructure so the Commission may better monitor the effectiveness of efforts by the IOUs to identify critical facilities and infrastructure customers.

16. Regarding the content of the CRC webpage and to promote outreach, the staff's proposal should be modified to direct IOUs to include specific information on this webpage explaining how customers can promptly and directly contact the correct person at the IOU to determine whether the customer should be designated as critical facilities and infrastructure.

17. Based on the critical connection between IOUs, transmission-level customers, and the critical facilities and infrastructure of these transmission-level customers, the staff proposal should be modified to include a directive to collaborate with transmission-level customers, including customers taking service directly from network transmission facilities under control of the CAISO, publicly-owned utilities, and electric cooperatives, and report these efforts in the IOU's critical facility and infrastructure plan.

18. The staff's proposal for an annual plan by the IOUs regarding critical facilities and infrastructure should comprehensively identify critical facilities and infrastructure, the IOUs' efforts to assess the need by critical facilities and infrastructure for extended backup power, and other topics.

19. To ensure that IOUs and governments mutually understand the safety needs of critical facilities and infrastructure customers related to PSPS events, IOUs should, upon request, share lists of critical facilities and infrastructure.

20. The staff's proposal should be modified to clarify that PSPS exercises must include both table-top and functional exercises.

21. The staff's proposal should be modified to clarify that PSPS exercises must include practicing how IOUs intend to reach out to access and functional needs and vulnerable populations in extended power outages.

22. The staff's proposal should be modified to clarify that PSPS exercises must include transmission-level customers to maintain a high level of safety.

23. In the absence of adequate recommendations to further clarify the period of time referred to as "before re-energization begins," the Commission should decline to adopt the staff's proposal to define this phrase.

24. The staff's proposed definition of "concurrent emergency" should be modified to include other overlapping emergency events, beyond just wildfires.

25. The staff's proposal to expand the definition of critical facilities and infrastructure should be modified to improve clarity and eliminate confusion but most of the additional entities in the staff's proposed definition of critical facilities and infrastructure should be included because public safety will be significantly enhanced if these additional entities receive priority notice of a PSPS event and, in addition, a backup power assessment.

26. The staff's proposed definitions of the terms (1) false-negative communications and (2) false-positive communications should not be adopted because adding the proposed definitions to the PSPS guidelines and rules will cause more confusion. Therefore, going forward, efforts should be made not to rely on these terms within the PSPS context.

27. The staff's proposal to modify the definition of the term "public safety partners" should not be adopted and, instead, the existing guidelines and rules, adopted in D.19-05-042, should be clarified because the terms "public safety

partners” together with “emergency response providers” include all the entities cited in the staff proposal. Tribal entities are also implicitly included in the existing definition of “public safety partners,” but the definition should be clarified to explicitly include these entities.

28. The staff’s proposal to modify the definition of “public safety partners” to include “all levels” of government is overly broad and may capture personnel not prepared or trained to receive such advance notice.

29. The staff’s proposal to include a definition of “timing of each de-energization event” should not be adopted because it is unclear whether the proposed definition will be helpful in determining the existence of a single or multiple PSPS events for purposes of post-event reporting.

30. The staff’s proposed definition of transmission-level should be modified to clarify our intent of capturing, at a minimum, all entities that provide electric service to customers, including community choice aggregators, publicly-owned utilities, and electric cooperatives – entities that often take service from a transmission line and provide electric services directly to their own customers.

31. The staff’s proposal to define “sub-transmission” customers should not be adopted because the proposal includes no specific guidelines or rules for these customers.

32. The staff’s proposal on IOU education and outreach regarding PSPS events should be modified to clarify that (1) the phrase “all languages prevalent” in the staff’s proposal has the same meaning as defined in D.20-03-004, (2) the topic of the accessibility of IOU education and outreach, including surveys, by individuals with disabilities must be a permanent topic at regional working group meetings, (3) IOUs must provide cost data related to AFN outreach conducted in partnership with community-based organizations to enable a better

understanding of these costs, and (4) IOUs must perform, at a minimum, two surveys per calendar year about the effectiveness of their education and outreach.

33. The Commission's Safety and Enforcement Division should be authorized to direct IOUs to provide the results of the education and outreach surveys in a different manner than specified herein, for example, with a different report, a separate report, or more frequently.

34. The IOUs should track and report all costs related to education and outreach, including the costs of the required surveys, related to PSPS so that the Commission is better able to make decisions on future or additional education and outreach efforts related to PSPS.

35. The IOUs should collaborate with the Commission's Safety and Enforcement Division so that Safety and Enforcement Division, as authorized herein, is able to develop and direct a reporting system for IOUs to use for tracking and reporting costs related to education and outreach, including surveys.

36. It is reasonable to require that utility emergency operations center staff have ongoing emergency management training.

37. It is reasonable to provide further direction to the IOUs on the content and character of collaboration and preparedness planning for addressing persons/communities with access and functional needs and vulnerable populations with respect to proactive de-energization, and to articulate the high-level objectives of adequate and appropriate outreach, notifications, and mitigation of the adverse impacts of proactive de-energization on persons/communities with access and functional needs and vulnerable populations.

38. It is reasonable to require the IOUs to make reasonable efforts to provide clear communications of potential proactive de-energizations, as distinct from more likely proactive de-energizations.

39. It is reasonable to require the IOUs to make reasonable efforts to provide timely notification of any decision to cancel a proactive de-energization.

40. It is reasonable to require the IOUs to work with different stakeholders, according to their varying needs, in developing adequate and appropriate notification plans.

41. It is reasonable to require the IOUs to provide priority notifications to transmission-level customers.

42. It is reasonable to require timely and uniform updating of PSPS event information across related platforms.

43. Degrading public safety partners' ability to prepare for potential PSPS events is not in the public interest.

44. It is reasonable to provide directions to the IOUs for providing up-to-date PSPS event information as efficiently as possible to public safety partners.

45. It is reasonable to require the IOUs to provide important, up-to-date information and data regarding potential PSPS events through a centralized secure public safety partner portal.

46. It is reasonable to require the IOUs to timely review and respond to requests for access to their secure public safety partner portals.

47. It is reasonable to direct the IOUs to invite transmission-impacted publicly-owned utilities and electric cooperatives to participate in their regional working groups, and to review their lists of invitees for working group meetings scheduled to occur in 2021 and identify any additional entities that should be invited to participate in the working groups.

48. It is reasonable to require the IOUs to report on specific information regarding past PSPS events and their preparations for future potential PSPS events, in particular regarding impacts on those most vulnerable to adverse impacts of PSPS events.

49. It is reasonable to require the IOUs to file and serve their Access and Functional Needs plan and quarterly updates, and the regional working group quarterly reports, in R.18-12-005 or its successor proceeding.

50. It is reasonable to require the IOUs to report on the types of support and service(s) offered and provided to persons/communities with access and functional needs and vulnerable populations.

51. It is reasonable to require the IOUs to provide data, by census tract, on vulnerable customers impacted by PSPS events, to enable cross-referencing of such data with CalEnviroScreen and Social Vulnerability Index data.

O R D E R

IT IS ORDERED that:

1. Decision 19-05-042 is modified as follows:

At 107:

Within 15 days of the electric investor-owned utility serving its post-event report, affected stakeholders, including public safety partners, critical facilities and local residents may serve comments on the electric investor-owned utility's post-event report in order to inform SED's compliance reasonableness review.

Appendix A at A22:

Within 15 days of the electric investor-owned utility serving its post-event report, affected stakeholders, including public safety partners, critical facilities and local residents may serve comments on the electric investor-owned utility's post-event report in order to inform SED's compliance reasonableness review.

2. Commission staff is authorized to develop a compendium of the Public Safety Power Shutoff guidelines and rules contained in Resolution ESRB-8, Decision 19-05-042, Decision 20-05-051, this decision, and any other relevant decisions, rules or laws.

3. Pacific Gas and Electric Company, San Diego Gas & Electric Company, Southern California Edison Company, Golden State Water Company on behalf of its Bear Valley Electric Service Division, Liberty Utilities (CalPeco Electric) LLC and PacifiCorp d.b.a. Pacific Power must follow the guidelines and rules set forth in Appendix A to this decision. These guidelines and rules, along with the guidelines and rules adopted in Resolution ESRB-8, Decision 19-05-042, and Decision 20-05-051 will remain in effect unless and until they are superseded by another Commission decision or resolution.

4. Pacific Gas and Electric Company, San Diego Gas & Electric Company, Southern California Edison Company, Golden State Water Company on behalf of its Bear Valley Electric Service Division, Liberty Utilities (CalPeco Electric) LLC and PacifiCorp d.b.a. Pacific Power must continue to follow the guidelines and rules adopted in Resolution ESRB-8, Decision 19-05-042, and Decision 20-05-051 unless superseded by the guidelines and rules adopted in this decision.

5. Pacific Gas and Electric Company, San Diego Gas & Electric Company, Southern California Edison Company, Golden State Water Company on behalf of its Bear Valley Electric Service Division, Liberty Utilities (CalPeco Electric) LLC and PacifiCorp d.b.a. Pacific Power must make every effort to implement the guidelines and rules set forth in Appendix A, unless otherwise specified by this decision, in advance of the 2021 wildfire season.

6. Pacific Gas and Electric Company, San Diego Gas & Electric Company, Southern California Edison Company, Golden State Water Company on behalf of

its Bear Valley Electric Service Division, Liberty Utilities (CalPeco Electric) LLC and PacifiCorp d.b.a. Pacific Power must jointly convene a meeting no later than September 30, 2021, and then quarterly thereafter, to develop their Access and Functional Needs plans according to the Federal Emergency Management Administration's Comprehensive Preparedness Guide, as further described in Section 6.7.3 of this decision.

7. Rulemaking 18-12-005 remains open.

This order is effective today.

Dated June 24, 2021, at San Francisco, California.

MARYBEL BATJER

President

MARTHA GUZMAN ACEVES

CLIFFORD RECHTSCHAFFEN

GENEVIEVE SHIROMA

DARCIE HOUCK

Commissioners

APPENDIX A

APPENDIX A

PUBLIC SAFETY POWER SHUTOFF (PROACTIVE DE-ENERGIZATION) GUIDELINES AND RULES (PHASE 3 PSPS GUIDELINES AND RULES) TO BE APPLIED TOGETHER WITH D.20-05-051 (PHASE 2 DECISION), D.19-05-042 (PHASE 1 DECISION), AND RESOLUTION ESRB-8 (JULY 12, 2018), AND OTHER APPLICABLE RULES, REGULATIONS, AND LAWS

Preamble to Phase 3 Guidelines

1. These guidelines are ordered alphabetically for ease of reference; they are not ordered by priority or importance.

A. Community Resource Centers

1. Electric investor-owned utilities must, on an annual basis, update CRC plans (for both fixed facility and mobile locations) for inclusion in the [current year] Pre-Season Report.
2. In advance of fire season, electric investor-owned utilities must coordinate and make best efforts to agree with local governments, tribal governments, local offices of emergency management, and public health officials on: (a) the potential sites for CRCs, (b) the services the utility will provide at the CRCs, and (c) where to access electricity during the hours the CRC is closed. Electric investor-owned utilities must execute contracts with entities or individuals, including, but not limited to, local or tribal governments, in advance of fire season to ensure that CRCs can be opened quickly.
3. Electric investor-owned utilities must each file a CRC plan on an annual basis. The annual CRC plan must detail how the utility will provide the services and supplies required to serve medical baseline and AFN populations as recommended by regional local government, Advisory Boards, public safety partners, representatives of people/communities with access and functional needs, tribal representatives, senior citizen groups, business owners, community resource organizations, and public health and healthcare providers. In the annual CRC Plans, the utilities must set forth the specific recommendations

made by the above-noted entities, whether the utilities adopted the recommendation (or did not adopt the recommendation), the reason it was adopted (or not adopted), and the timeline for implementation.

4. After considering applicable public health and safety protocols, electric investor-owned utilities must implement either indoor, outdoor, or both types of CRCs after taking into consideration, at a minimum, the projected air quality index (AQI), the projected temperatures, and the projected wind speeds.
5. Electric investor-owned utilities must make comprehensive CRC information, including potential or actual locations, publicly available and accessible with searchable functions, on a de-energization webpage in advance of fire season. Prior to a PSPS event, immediately after the utility decides on which CRC locations to open during the PSPS event, the utility must provide notice to customers of the locations of the CRCs, the services available at each CRC, the hours of operation of each CRC, and where to access electricity during the hours the CRC is closed. This notice must be provided in all available means, including, but not limited to, text messages and on the utilities' websites. Notice must conform with the required language and accessibility requirements for notices, in general, for PSPS events, as set forth in these guidelines and rules. The utilities must make the actual locations of CRCs accessible by customers through a searchable function on their websites.
6. Electric investor-owned utilities must include, as part of their CRC Plans, metrics for the prior year regarding CRCs, including, but not limited to, usage metrics and customer feedback, and identify any challenges faced when setting up and providing CRCs. The utilities are directed to work with the Commission's Safety and Enforcement Division to develop usage metrics that must be included in the CRC Plans. The Safety and Enforcement Division is also authorized to require utilities to provide CRC metrics in post-event reports.

7. **Modification to D.20-05-051, Appendix A at 6:** Electric investor-owned utilities' CRCs must, at a minimum, provide device charging stations that are capable of powering medical devices, cellular network services, water, chairs, PSPS information representatives, and restrooms.

B. Critical Facilities and Infrastructure

1. Each electric investor-owned utility must create a webpage accessible from its PSPS main page that includes the Commission's definition of critical facilities and infrastructure, the reasons it is important for customers to be designated as such in the event of a PSPS, and the name and contact information, including email address, of the person at the utility responsible for handling inquiries about whether a customer should be designated as critical facilities and infrastructure.
2. Each electric investor-owned utility must provide a critical facilities and infrastructure plan in an annual report filed in R.18-12-005 or successor proceeding, referred to herein as the [current year] Pre-Season Report. This annual plan shall include, at a minimum, the following: (1) a list of critical facilities and infrastructure within the utility's service area (which may be provided on a confidential basis); (2) a description of the methodology the utility uses to identify critical facilities and infrastructure; (3) any changes in the critical facilities and infrastructure identified in the utility service area since the prior annual report; (4) the process used by the utility to maintain and update primary and secondary direct contacts for critical facilities and infrastructure; (5) an explanation of how the utility collaborates with transmission-level customers of the utility (as the term transmission-level customer is defined herein) so that the utility understands the critical facilities and infrastructure within the service territory of those transmission-level customers; (6) the number of requests from customers to be designated as critical facilities and infrastructure in the current year and the prior year, whether the utility accepted or denied the request, and the reasons for any denial; and (7) efforts by the utility to assess backup power needs of critical facilities and infrastructure, provision of backup power by the utility to critical facilities and infrastructure, and the terms under which the utility provided backup power to critical facilities and infrastructure.

The Commission's Safety and Enforcement Division is authorized to require the utilities to include additional topics in this plan.

3. Electric investor-owned utilities must include lists on their PSPS secure web portal of all critical facilities and infrastructure customers and update these lists on the secure web portal regularly, at least monthly. As part of the process to update these lists, the utility shall consult with local and tribal governments to ensure that the utility and local and tribal governments mutually understand the identity of critical facilities and infrastructure customers in the utility service territory and the safety needs of the critical facilities and infrastructure customers related to PSPS events. Upon request, a utility shall provide access to such lists on its PSPS secure web portal to local and tribal governments, subject to any applicable confidentiality laws.

C. PSPS Exercises

1. Each electric investor-owned utility must conduct PSPS simulation exercises, referred to herein as PSPS exercises, both table-top and functional, for the various events triggered when a utility decides it may de-energize parts of its electrical system to mitigate possible wildfire caused by its infrastructure, in preparation for such a de-energization, during such a de-energization, in preparation for re-energizing, and after the electricity service has been restored. Each utility must coordinate its PSPS exercises with various entities, measure the successes and failures of the PSPS exercises, report lessons learned directly to various groups and participants, and utilize lessons learned to inform improvements in PSPS protocols. Each utility must include as part of a PSPS exercise how utilities intend to reach out to access and functional needs and vulnerable populations in extended power outages. Each utility must conduct, at a minimum, one PSPS exercise with transmission-level customers (as the term transmission-level is defined herein), either as part of a larger PSPS exercise or separately. A component of any PSPS exercises with transmission-level customers must include planning for mutual assistance during PSPS events and incorporate the goal of working together during a PSPS event. These annual PSPS exercises must include components directed at ensuring the utility's PSPS

protocols address access and functional needs and vulnerable populations during extended power outages.

2. Each investor-owned utility must prepare and file a PSPS Exercise Report as part of the [current year] Pre-Season Report, and these PSPS Exercise Reports must include, at a minimum, provisions for both table-top and functional PSPS exercises, how many PSPS exercises were held, the dates held, and what entities participated. The Commission's Safety and Enforcement Division is authorized to require additional reporting factors in these PSPS Exercise Reports.
3. Each electric investor-owned utility must make reasonable efforts to conduct, at a minimum, a PSPS exercise no later than three months after the effective date of the Phase 3 decision in R.18-12-005. Starting in 2022, each electric investor-owned utility must conduct, at least once annually by July 1, a PSPS exercise using the same channels of decision-making, knowledge transfer, implementation, and communication that would be used in an actual PSPS event.

D. Definitions

1. Concurrent Emergency: A de-energization event overlapping with a secondary emergency event.
2. Critical Facilities and Infrastructure is modified to include the following:
 - a. Emergency Services Sector
 - i. Tribal government providers.
 - b. Government Facilities Sector
 - i. Homeless Shelters;
 - ii. Community Centers;
 - iii. Senior Centers;
 - iv. Independent Living Centers, as defined by the California Department of Rehabilitation.
 - v. Voting centers and vote tabulation facilities.

- c. Healthcare and Public Health Sector
 - i. Cooling (or Warming) Centers;
 - ii. Temporary facilities established for public health emergencies.
- d. Food and Agriculture Sector
 - i. Emergency Feeding Organization, as defined in 7 U.S.C. § 7501.
- e. Transportation Systems Sector
 - i. Traffic Management Systems

3. Modification to definition of Public Safety Partner in D.19-05-042:

The term ‘public safety partners’ refers to first/emergency responders (defined in D.19-05-042, Appendix A at A3-A4) at the tribal, local, state, and federal level; water, wastewater and communication service providers; community choice aggregators (CCAs); affected publicly-owned utilities (POUs)/electrical cooperatives; the Commission; Cal OES; and CAL FIRE. Public safety partners will receive priority notification of a de-energization event, as discussed in subsequent sections.” (D.19-05-042, Appendix A at A4.)

The term ‘first responder/emergency responder’ refers to those individuals who, in the early stages of an incident, are responsible for the protection and preservation of life, property, evidence, and the environment, including emergency response providers. (D.19-05-042, Appendix A at A3.)

The term ‘emergency response providers’ includes tribal, federal, state, and local governmental and nongovernmental public safety, fire, law enforcement, emergency response, emergency medical services providers (including hospital emergency facilities), and related personnel, agencies and authorities. (D.19-05-042, Appendix A at A4.)

4. Transmission-level customer is defined as (1) a customer taking service directly from network transmission facilities under control of the California Independent System Operator (CAISO) and (2) publicly-owned utilities and electric cooperatives. Each electric investor-owned utility must provide priority notification of any PSPS event to transmission-level customers. The designation of a customer as a transmission-level customer also requires the utility to, among other things, conduct PPS Exercises with these customers (PPS Exercises are addressed in a separate section of these guidelines and rules).

E. Education and Outreach

1. Each electric investor-owned utility must conduct PPS education and outreach, including surveys, in “prevalent” languages, as defined in D.20-03-004, in its service territory. Each utility must conduct, at a minimum, two PPS education and outreach surveys accessible to all customers each calendar year. The Commission’s Safety and Enforcement Division is authorized to direct an IOU to modify or issue more of these surveys. Each utility must collaborate with relevant community-based organizations and public safety partners to develop these surveys, which must include, at a minimum, metrics to evaluate whether the education and outreach is effectively helping communities and residents before, during, and after a PPS event to plan for alternatives electricity arrangements and/or avoid the impacts of de-energization events. Each utility must include the results of the most recent education and outreach surveys not yet previously reported on, as an attachment to the [current year] Pre-Season Report and the [prior year] Post-Season Report. The Commission’s Safety and Enforcement Division is authorized to direct an IOU to file the results of these surveys more frequently or in a different manner.
2. Each electric investor-owned utility must file, as part of the reports required pursuant to D.20-05-051, Conclusion of Law 36 at 96, information pertaining to, at a minimum, discussions at Working Group meetings regarding the accessibility of utility’s education and outreach efforts, including surveys, for individuals with access and functional needs, the recommendations, if any, made by individuals

with or representatives of communities with access and functional needs to enhance education and outreach pertaining to PSPS events, and whether those recommendations, if any, were incorporated into the utility's PSPS protocols.

3. Each electric investor-owned utility must track and report costs for PSPS-related education and outreach, including the required surveys, and the Commission's Safety and Enforcement Division is authorized to develop the cost tracking system for this purpose. The utilities must include costs incurred by other entities from whom they request assistance in these efforts. The utilities must include these costs, in the format designated by Safety and Enforcement Division, with the [prior year] Post-Season Report.

F. Emergency Operations Centers (EOCs), State Operations Center, Liaisons

1. All electric investor-owned utility EOC staff must receive annual emergency management training sufficient to enable them to perform their assigned role. Emergency management expertise is necessary to communicate effectively, accurately, and consistently with public safety partners before, during, and after a proactive de-energization event.
2. All electric investor-owned utility staff must meet with representatives from Cal OES, CAL FIRE, and the Commission to develop uniform, synchronized methods of conducting State Executive Calls and notifications to those agencies. In consultation with representatives from Cal OES, CAL FIRE, and the Commission, electric investor-owned utilities must make reasonable efforts to align their statistical updates on PSPS events sent to state and federal executive partners.

G. Medical Baseline and Access and Functional Needs (AFN) Communities

1. The following groups must be included in each electric investor-owned utility's identification efforts, in addition to the existing

requirement for each such utility to “identify, above and beyond those in the medical baseline population”:

- Persons reliant on electricity to maintain necessary life functions, including for durable medical equipment and assistive technology; and persons eligible for the medical baseline program.
2. Each electric investor-owned utility must build partnerships with CBOs and healthcare providers, including but not limited to, those from county-level health and human services departments, public health departments, healthcare facilities, and clinics, including those serving customers in one or multiple prevalent language, to minimize the impact of proactive de-energization events, and to improve outreach and assistance for people/communities with access and functional needs and vulnerable populations. As part of these outreach efforts, each electric investor-owned utility must offer individuals the option to receive notifications regardless of whether they are an account holder.
 3. Each electric investor-owned utility must work with local and tribal governments, state agencies and CBOs in areas they anticipate may be subject to pro-active de-energization to conduct outreach to multi-family building account holders, building managers, and tenants with an overall objective of ensuring that tenants who rely on elevators to access or leave their residence will receive PSPS notifications; outreach to building managers must include providing information about programs that offer resiliency support.
 - a. Each electric investor-owned utility must contact the account holder and must make reasonable efforts to contact the building manager of the building(s) identified herein in preparation for wildfire season to ensure such facilities: 1) have forewarning, and 2) provide details about backup generation resource options. Each utility must additionally notify these multi-family building account holders, and make reasonable efforts to notify building managers, prior to conducting a proactive de-energization event.
 4. Each electric investor-owned utility must provide proactive notification and impacted zip code information to paratransit agencies

that may serve all the known transit- or paratransit-dependent persons that may need access to a community resource center during a proactive de-energization event.

5. Each electric investor-owned utility must administer a program to support resiliency for customers that rely on electricity to maintain necessary life functions, including for durable medical equipment and assistive technology, by consulting with and offering them adequate and appropriate support and services in preparation for and during the anticipated duration of a PSPS event, and ensuring customers can use medical equipment for the duration of a PSPS event. Such support and services for each customer may include, for example, free backup batteries that energize such equipment, transportation to a community resource center or other location of the customer's choosing, other forms of support identified in consultation with these customers, and any combination thereof. Each utility's program must include, at minimum, each of the aforementioned forms of support and services. Utilities are not required to include a process for enrollment in their programs. Utilities are also encouraged to share information about where and how to access critical information and support during a PSPS event.
6. Each electric investor-owned utility's annual Access and Functional Needs plans and quarterly updates must incorporate, at minimum, the six steps outlined in the Federal Emergency Management Administration's Comprehensive Preparedness Guide, i.e., forming a collaborative planning team, understanding the situation, determining goals and objectives, developing the plan, plan preparation and approval, and plan implementation and maintenance. As part of forming a collaborative planning team, utility representatives at the Senior Vice President level, or with comparable decision-making power over development and implementation of the Access and Functional Needs plans, must meet at least quarterly with representatives of state agencies and community-based organizations that serve and/or advocate on behalf of persons with access and functional needs. The purpose of these meetings will be to develop, implement, and review each IOU's annual Access and Functional Needs plans in accordance with the Comprehensive Preparedness Guide.

H. Notification

1. Each electric investor-owned utility must ensure that the public is able to access precise locality information of potential and active de-energization events. Each electric investor-owned utility must make every reasonable effort to provide clear communications of potential proactive de-energizations, based on week-ahead forecasts, as distinct from more likely proactive de-energizations, based on 48- or 24-hour ahead forecasts. The utilities may provide this communication of potential proactive de-energizations by providing a seven-day proactive de-energization potential rolling forecast, or by implementing an escalating notification system similar to the National Weather Service's "weather watch" and "weather warning" system. This guidance regarding warnings of potential de-energizations does not modify or supersede requirements to provide customers with precise and accurate advance notifications regarding the location and estimated duration of an impending PSPS event, as required by D.19-05-042.
2. Each electric investor-owned utility must make every attempt to provide notification of the cancellation of a de-energization event, or removal from scope, by notifying all affected entities, including public safety partners, within two hours of the decision to cancel.
3. Each electric investor-owned utility must develop a notification plan jointly with Cal OES, public safety partners, county, tribal, and local governments, independent living centers, paratransit agencies, durable medical equipment vendors, agencies that serve individuals who receive Medi-Cal home and community-based services, and other organizations representative of all subsets of people or communities with access and functional needs. Each electric investor-owned utility must specifically describe its plans for notifications according to specific access and functional needs, for instance the needs of persons with vision impairments as distinct from the needs of persons with a developmental disability. Each electric investor-owned utility must finalize its notification plan for inclusion in its [current year] Pre-Season Report.

4. In addition to notifying and coordinating with CAISO, each electric investor-owned utility, at a minimum, must provide priority notification to transmission-level customers when considering de-energization of the customers' facilities; the notification must occur, to the extent possible, at least 48-72 hours in advance of the de-energization event. These notifications to transmission-level customers must, to the extent possible, include when the de-energization is expected to start and when re-energization is anticipated to occur. Each electric investor-owned utility must also, to the extent possible, provide notification to transmission-level customers within two hours after it has begun surveying de-energized lines.
5. Each electric investor-owned utility must, to the extent possible, update its notifications uniformly across related platforms, for example, public facing notifications on its website(s), in its notifications to the media, and in its notifications to local and tribal government Public Information Officers so that customers obtain the same information in a timely manner regardless of how they receive or source the information.
6. To the extent feasible, prior to de-energization, each electric investor-owned utility must provide, in a standardized format, notices to public safety partners containing the following information:
 - a. Consolidated lists of impacted meter information, device information, and address information;
 - b. Estimated time intervals for de-energization, re-energization, and "all clear" notices; and
 - c. Maps and shapefiles with each notice from the outset (i.e., from the 72-hour notice through the restoration of service).

Electric investor-owned utilities may provide the above information by including a link to the corresponding information in the utilities' public safety partner secure web portals. The electric investor-owned utilities must coordinate with public safety partners to develop a file

naming convention and to standardize the format of files in a way that maximizes efficiency and ease of reference for public safety partners.

7. De-energization event information updates sent to public safety partners must be consolidated to the extent possible for each event, as opposed to disparate items of information being sent serially.
8. When communicating with public safety partners, each electric investor-owned utility must make reasonable efforts to ensure that all electronic files and email subject lines use clear file-naming conventions that differentiate between events and include the time of the update.
9. Each electric investor-owned utility must, as immediately as possible if they have not already done so, establish a portal for public safety partners to view information as well as provide an Application Programming Interface (API) for public safety partners to automatically export data. Each electric investor-owned utility must review and respond to requests for access to their secure public safety partner portals within one business day of receiving a request.

I. Regional Working Groups

1. Pacific Gas and Electric Company's, San Diego Gas & Electric Company's, and Southern California Edison Company's quarterly working group meetings must primarily focus on management of de-energization events and the issues set forth in the Phase 2 and 3 guidelines and rules. The utilities shall also, to the greatest extent possible, share up-to-date information on wildfire mitigation measures they are undertaking that are intended to reduce the scale and/or scope of proactive de-energization events, and to receive input on the risks and harms posed by shutting off the power as well as suggestions for how these risks and harms can be mitigated. The utilities must invite transmission-impacted publicly-owned utilities and electric cooperatives to participate in their regional working groups.

K. Reporting

1. All reporting plans concurrently required to be included in the [current year] Pre-Season Report herein, must be produced in a single document submitted by each electric investor-owned utility. Specifically, these include the community resource center plan (A.1, A.3, and A.6), critical facilities plan (B.2), PSPS exercise reports (C.2), education and outreach-related surveys and accessibility efforts and associated costs (E.1, E.2 and E.3), and notification plans (I.3). The [current year] Pre-Season Report must also include the following items of information:
 - a. Description of lessons learned from past PSPS events, including feedback from impacted customers and stakeholders, and how the electric investor-owned utility has applied such lessons to its current and future efforts in preparation for the upcoming wildfire season.
 - b. Identify circuits at greatest risk of de-energization during the upcoming wildfire season. Include the number of times each circuit was de-energized during the prior four calendar years, and describe all steps toward risk-reduction and de-energization mitigation for each circuit, including specific outreach and education efforts and efforts to identify and provide appropriate resiliency support to customers with access and functional needs on each circuit.
 - c. Annual reports, as applicable, required by Ordering Paragraphs 8, 21, 27, 30, 33, 36, 38, 41, 46, 47, 51, and 57 of D.21-06-014.

Each electric investor-owned utility must file and serve its [current year] Pre-Season Report no later than July 1 of each year in R.18-12-005 or its successor proceeding. The report must follow a template provided by SED no later than 60 days after SED posts a [current year] Pre-Season Report template on the Commission's website. Parties may file comments on these reports within 20 days after they are filed, and reply comments within 10 days after the final date to file comments.

2. In its post-event reports, each electric investor-owned utility must provide:
 - a. The number of customers notified in comparison to the number of customers de-energized.
3. Each electric investor-owned utility must file a comprehensive [prior year] Post-Season Report, no later than March 1 of each year, in R.18-12-005 or its successor proceeding. The report must follow a template provided by SED no later than 60 days after SED posts a [prior year] Post-Season Report template on the Commission's website. Parties may file comments on these reports within 20 days after they are filed, and reply comments within 10 days after the final date to file comments.

The [prior year] Post-Season Report must include, but will not be limited to:

- a. For each proactive de-energization event that occurred during the prior calendar year:
 - i. Circuit-by-circuit analysis of mitigation provided from backup power and microgrid pilots
 - ii. Total number of customer accounts de-energized and median and maximum amount of time de-energized, total number of non-CARE/FERA customer accounts de-energized and median and maximum amount of time de-energized, total number of CARE/FERA customer accounts de-energized and median and maximum amount of time de-energized, total number of Medical Baseline customer accounts de-energized and median and maximum amount of time de-energized, and total number of customers who self-identified for advance notification (*i.e.*, regardless of whether they are the account holder) that were de-energized and median and maximum amount of time de-energized, all by census tract.
- b. Description of the impact of de-energization on transmission, and evaluation of how to mitigate and prepare for those impacts in future potential de-energization events. Identify and describe all studies that are part of such analysis and evaluation, and all

efforts to work with publicly owned utilities and cooperatives to evaluate the impacts of de-energization on transmission;

- c. Identification of all requests for selective re-energization made by public safety partners during a de-energization event, whether each such request was granted or denied, and the reason for granting or denying each such request;
- d. Detailed description of all programs and/or types of assistance, including free and/or subsidized backup batteries, the Self-Generation Incentive Program Equity Resiliency Budget, Community Microgrid Incentive Program, hotel vouchers, transportation to CRCs, and any other applicable programs or pilots to support resiliency for persons with access and functional needs and vulnerable populations. Identify and describe the costs and associated funding source(s) for all partnerships, each unique program and form of assistance (*e.g.*, backup batteries as distinct from hotel vouchers), and any other efforts aimed at mitigating the impacts of PSPS events on persons with access and functional needs and vulnerable populations. Funding source(s) shall specify applicable utility balancing accounts or other accounting mechanisms, and non-utility funding sources, if applicable. Identify any communities or areas not served by utility partnerships with CBOs that provide assistance to persons with access and functional needs or vulnerable populations in preparation for or during a PSPS event;
- e. Geospatial data (*i.e.*, a shapefile or geodatabase) by census tract comprising 1) maximum number of de-energization events impacting any customer account in each month, 2) maximum number of hours that any customer account was de-energized in each month, 3) minimum number of hours that any impacted customer account was de-energized in each month, 4) median number of hours that all impacted customer accounts were de-energized in each month, 5) total number of customer accounts and total number of hours (summed among all these customer accounts) de-energized in each month, 6) total number of CARE/FERA customer accounts and total number of hours (summed among all these customer accounts) de-energized in

each month, 7) total number of Medical Baseline customer accounts and total number of hours (summed among all these customer accounts) de-energized in each month, 8) total number of customers who self-identified for advance notification (*i.e.*, regardless of whether they are the account holder) and total number of hours (summed among all these customer accounts) de-energized in each month. This file need not include columns for months during which no de-energization event impacted any customer account;

- f. Annual report, as applicable, required by Ordering Paragraph 66 of D.21-06-014.

To the extent a required item of information is also required to be included in the electric investor-owned utility's Wildfire Mitigation Plan, the [prior year] Post-Season Report may refer to the electric investor-owned utility's Wildfire Mitigation Plan rather than repeat the same information; such reference must specify, at minimum, the page and line number(s) for where the required information is contained within the electric investor-owned utility's Wildfire Mitigation Plan. In cases where this reference is to data, a summary table of the data shall be provided in the report.

4. Each electric investor-owned utility must file and serve its annual Access and Functional Needs plan and quarterly updates.
 - a. Each utility's annual Access and Functional Needs plan must incorporate the six steps of the Comprehensive Preparedness Guide, and must include:
 - i. Survey results and metrics, covering the prior calendar year, that indicate the extent of progress toward the goals or objectives agreed to as part of the requirements articulated in guideline/rule G.5. Until such goals or objectives are established, the utilities must report specifically on the following:
 - a) The percentage of customers with access and functional needs who were aware that their utility may de-energize their system as a wildfire mitigation measure; the percentage of customers

with access and functional needs that were aware of what support and resources were available to them during de-energization; and reasons why specific customers or customer segments were not aware. To the extent possible and consistent with protecting customer privacy, the electric investor-owned utilities must track and report survey results according to specific access or functional needs, for instance the reasons why persons with a vision impairment were not aware as distinct from reasons why persons with a developmental disability were not aware.

- b) The percentage of customers with access and functional needs who confirm they received notifications of a possible de-energization event; and reasons why specific customers or customer segments did not confirm they received notification (irrespective of whether the utility provided them notification; and customer feedback regarding how to provide notifications more effectively (i.e., in a manner that meets customers' specific needs). To the extent possible and consistent with protecting customer privacy, the electric investor-owned utilities must track and report survey results according to specific access or functional needs, for instance the reasons why persons with a vision impairment did not receive notification as distinct from the reasons why persons with a developmental disability did not receive notification.
- c) The percentage of customers who rely on electric equipment to maintain necessary life functions and who were able to utilize such equipment, or were otherwise able to maintain necessary life functions, for the duration of any de-energization event that affected them; and reasons why specific customers were not able to utilize such equipment for the duration of any de-energization event that affected them. The electric investor-owned utilities must extend an invitation to customers who received free

- backup batteries or other resiliency support items or services (e.g., hotel vouchers, transport to and services provided at CRCs) to participate in a survey, to assess the extent to which such items or support met their needs for the duration of any de-energization event that affected them.
 - ii. A summary of the most recent quarterly meeting required by guideline/rule G.5, including names of all participants, the group(s) they represent, and their job titles; action items or other agreed upon next steps for achieving higher-level outcomes and/or pursuing larger strategies, including the responsible person(s) for executing each item and a target date or timeframe for execution of each item
 - iii. Specific goals or targets with respect to awareness among the various segments of persons with access and functional needs about PSPS events, awareness of where and how to access critical information and support in preparation for and during PSPS events, and the extent to which they are able to maintain necessary life functions throughout the duration of a PSPS event.
 - iv. Data on participation in each program and/or utilization of each type of assistance, including free and/or subsidized backup batteries, the Self-Generation Incentive Program Equity Resiliency Budget, Community Microgrid Incentive Program, hotel vouchers, transportation to CRCs, and any other applicable programs or pilots to support resiliency for persons with access and functional needs and vulnerable populations, by census tract.
- b. Each utility's quarterly Access and Functional Needs plan update must include, at minimum:
 - i. A summary of the most recent quarterly meeting required by guideline/rule G.5, including names of all participants, the group(s) they represent, and their job titles; action items or other agreed upon next steps for achieving higher-level outcomes and/or pursuing

larger strategies, including the responsible person(s) for executing each item and a target date or timeframe for execution of each item.

- ii. Update on progress toward specific goals or targets identified in the most recent Annual Access and Functional Needs plan.
5. Each electric investor-owned utility must file and serve its quarterly regional working group reports in R.18-12-005 or its successor proceeding.

(END OF APPENDIX A)