

**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

**NORTHERN CALIFORNIA POWER AGENCY COMMENTS
ON PROPOSED DECISION**

In accordance with the California Public Utilities Commission (Commission) Rules of Practice and Procedure 14.3, the Northern California Power Agency (NCPA)¹ submits these comments on the Proposed Decision *Adopting Phase 2 Updated and Additional Guidelines for De-Energization of Electric Facilities to Mitigate Wildfire Risk* (Proposed Decision). On February 8, 2019, NCPA filed comments on the Rulemaking Order, thereby becoming a party to the proceeding at that time.

I. COMMENTS ON THE PROPOSED DECISION

The Proposed Decision adopts additional guidelines related to utility de-energization events based on the proposal set forth in the January 30, 2020 *Administrative Law Judge's Ruling Requesting Comments on Proposed Additional and Modified De-Energization Guidelines* (ALJ Ruling). NCPA appreciates the Commission's recognition of the parties' comments on the proposed guidelines, as reflected in many of the changes set forth in Appendix A of the Proposed Decision. In its February 19, 2020, comments on the ALJ Ruling,² NCPA identified revisions to the proposed modifications that would ensure that the de-energization guidelines take into account the impact that investor owned utility (IOU) de-energization events can have on publicly owned utilities (POUs) that are transmission customers of an IOU or adjacent to an IOU's

¹ NCPA's members include the cities of Alameda, Biggs, Gridley, Healdsburg, Lodi, Lompoc, Palo Alto, Redding, Roseville, Santa Clara, Shasta Lake and Ukiah, as well as the Bay Area Rapid Transit District, Port of Oakland, the Truckee Donner Public Utility District, and the Plumas-Sierra Rural Electric Cooperative.

² See Northern California Power Agency Comments On Proposed Additional And Modified De-Energization Guidelines, dated February 19, 2020; <http://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M328/K473/328473700.PDF>.

service territory. The primary focus of those comments was to ensure that any modified guidelines recognized the importance of IOU engagement with POUs during all stages of the de-energization process. As NCPA noted in those comments, better coordination of de-energization planning with POUs can help mitigate the impact and potentially even the scope of IOU de-energization events. NCPA appreciates that the Proposed Decision addresses many of those issues, but as more fully set forth herein, the Proposed Decision errs in not fully implementing all of the provisions necessary to ensure that transmission-level IOU customers' service areas are also afforded the full ambit of de-energization protections.³

A. The Proposed Decision Errs in Not Requiring the IOUs to Invite POUs and Electric Cooperatives to Participate in the De-energization Exercises

The Proposed Decision errs in not specifically requiring the IOUs to invite POUs and electric cooperatives to be a part of the IOU de-energization exercises. POUs and electric cooperatives that are connected to IOU transmission lines could be directly and significantly impacted by any IOU de-energization. As with the Working Groups and Advisory Boards, POUs and electric cooperatives have a vital role to play in planning and preparing for de-energization events in the IOUs' service territories. If the de-energization exercises are intended to "enhance preparation for extreme situations that may arise during actual de-energization events," those transmission level customers must be invited to be a part of the preparation in order to ensure that all contingencies are being addressed. Therefore, including the POUs and electric cooperatives in the planning and execution of IOU de-energization exercises would enable all impacted stakeholders to better prepare for these incidences, especially given the unique situation that transmission-connected POUs face in the event of an IOU public safety power shutoff (PSPS). These exercises provide the ideal opportunity for pre-outage coordination between the IOU and adjacent utilities, which can also be used to assess the level of information needed and potential mutual assistance issues that may arise during a PSPS.

As such, and consistent with the objective of the exercises, the Proposed Decision should be modified to require the IOUs to explicitly invite the POUs and electric cooperatives that are transmission customers of the IOU to participate in the IOU's de-energization exercises. To ensure the maximum efficacy of the exercises and consistent with the objective of reducing the

³ Proposed findings of fact and conclusions of law are set forth in Appendix A to these comments.

need for and scope of future PSPS events, the Commission should also modify the Proposed Decision to direct that the IOUs' planning for the de-energization exercises include additional studies and assessment of the IOU's electrical lines and scenario planning to better understand the magnitude and total impact of various de-energization options; doing so will allow a better understanding of alternatives to full-de-energization.

B. The Proposed Decision Should be Corrected to Clarify that the Electric Cooperatives Are Also Invited to be on the IOU Working Groups

The Proposed Decision would properly modify the de-energization guidelines to ensure there is an opportunity for publicly owned electric utilities to participate in the IOU Working Groups. The Proposed Decision states that "NCPA indicates that electric POUs and electric cooperatives should be included in the regional Working Groups and Advisory Boards," (PD, p. 15) and concludes that "CMUA, ACWA, and NCPA made reasonable showings, and we agree, that the electric POUs and water service providers should be invited to participate in the Working Groups and Advisory Boards." (PD, p. 16; Appendix A, p. 1) The Proposed Decision errs, however, in not also ensuring that electric cooperatives are also provided the opportunity to participate in the Working Groups and Advisory Boards. As such, Finding of Fact 8, Conclusion of Law 1, and Appendix A, section (a) should be modified to correct this error.

C. The Proposed Decision Errs in not Modifying Appendix A to Include the POUs and Electric Cooperatives on the IOU Advisory Boards Consistent with the Discussion

As noted, the Proposed Decision concludes that POUs should be invited to participate in the Advisory Groups (PD, p. 16), but the proposed language in Appendix A, section (a), pages 1-2, like the corresponding Finding Fact and Conclusion of Law, do not specifically call out POUs and electric cooperatives as it does other highly-impacted public safety partners. Consistent with the discussion in the Proposed Decision, Finding of Fact 12, Conclusion of Law 5, and Appendix A, section (a) should be revised to correct this error.

D. The Proposed Decision Errs in not Requiring the IOUs to Memorialize Restoration Requirements into Protocols

The Proposed Decision confirms the need for additional guidelines regarding restoration of service upon conclusion of the need for de-energization (PD, p. 42), but errs in not requiring the IOUs to prepare clear protocols for addressing the prioritization of restoration, consistent

with the proposed changes set forth in Appendix A. The Proposed Decision states that it is “firmly the intent of the Commission that the IOUs do everything possible to restore service to customers within 24 hours after the termination of a de-energization event,” and recognizes that there may be conditions and necessary repairs that necessitate longer restoration times. (PD, p. 43) However, even after noting that NCPA called for “electric IOU plans and processes for restoration of power must include clearly defined prioritization protocols,” (PD, p. 40), the Proposed Decision does not explicitly address such prioritization. The Proposed Decision errs in not directing the IOUs to create clear protocols that address the prioritization of restoration, providing affected customers with clear indications as to how limited resources may be dispatched at the conclusion of a PSPS event.

Therefore, Appendix A, p. 5 should be further modified to correct this omission. By mandating that the processes and practices used for re-energization be formally developed into protocols that can be followed in the future, customers would be better able to fully assess what must occur and when it is expected to occur throughout the process.

E. The Proposed Decision Errs in Not Addressing the Disposition of Additional Phase 2 Issues

While the Proposed Decision includes changes to the de-energization guidelines that are intended to improve what will ideally be less frequent and shorter de-energization events in the upcoming fire season, the Commission has yet to fully address the panoply of issues related to transmission lines and transmission-level PSPS events. These issues were identified in the August 14, 2019 Phase 2 Scoping Memo.⁴ NCPA’s comments on the PSPS Phase 2/Track 1 Proposals in September 2019⁵ urged greater emphasis on communications to impacted public safety partners – like POU’s – based on the magnitude of the expected relative impact of the de-energization on customers and the surrounding area, and echoed parties’ observations that: (1) impacts of transmission-level PSPS events have greater potential for reliability and public safety impacts versus distribution-level events, and (2) assessments and studies of the system to ascertain the scope of potential impacts and potential alternatives were warranted.⁶ Although the

⁴ Assigned Commissioner’s Phase 2 Scoping Memo and Ruling, dated August 14, 2019 (August 2019 Phase 2 Scoping Memo).

⁵ See Northern California Power Agency Comments on Public Safety Power Shut-off Phase 2/Track 1 Proposals, dated October 15, 2019; <http://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M318/K082/318082464.PDF>.

⁶ See NCPA Phase 2/Track 1 comments, pp. 5-7; see also; Phase 2/Track 1 Opening Comments of Phase 2/Track 1 comments of: City of San Jose, p. 4; San Francisco, pp. 8-9, 12; Southern California Edison, p. 8.

December 19, 2019 Amended Phase 2 Scoping Memo⁷ did not specifically call out transmission level de-energization events, a number of the proposed modifications in the ALJ Ruling implicated transmission level customers, and concerns raised by NCPA and other parties in that regard could have been addressed in the Proposed Decision, but were not. NCPA urges the Commission to correct this error by explicitly establishing a schedule for resolution of the remaining Phase 2 issues in a timely manner.

II. CONCLUSION

For the reasons set forth above, NCPA urges the Commission to correct the errors in the Proposed Decision and Appendix A as discussed herein and set forth in Attachment A to these comments.

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Respectfully submitted,



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⁷ Assigned Commissioner's Amended Phase 2 Scoping Memo and Ruling, dated December 19, 2019 (Amended Phase 2 Scoping Memo).

ATTACHMENT A
PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW

PROPOSED FINDINGS OF FACT

8. Regionalized de-energization Working Groups led by the large electric IOUs that include small multi-jurisdictional electric utilities, community choice aggregators, electric POUs, **electrical cooperatives**, communications and water service providers, CPUC staff, tribal and local government entities, public safety partners, and 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.

12. If the electric IOUs coordinate service territory-wide Advisory Boards that consist of public safety partners, communications and water service providers, **publicly owned electric utilities and electric cooperatives within or adjacent to an IOU service territory**, local and tribal government officials, business groups, non-profits, representatives of people/communities with access and functional needs and vulnerable communities, and academic organizations, they can leverage critical advice on best practices for de-energization issues and safety, community preparedness, regional coordination and the use of emerging technologies to better plan for de-energization events.

15. If the electric IOUs coordinate with the CPUC, CalFire, CalOES, communications providers, representatives of people/communities with access and functional needs, **POUs and electrical cooperatives that are transmission customers of the IOUs**, and other public safety partners to plan de-energization mock exercises throughout the utility service territories in the areas with the highest historical and forecasted risk for de-energization in advance of fire season, it is likely the electric IOUs will be more prepared for actual de-energization events.

28. **Requiring electric IOU plans and processes for restoration of power to include clearly defined prioritization protocols, and e**Ensuring precise and accurate information regarding the location and duration of potential and active de-energization events and restoration efforts enhances public safety and transparency.

New: It is reasonable for the Commission to expeditiously resolve the remaining issues identified in the August 2019 Phase 2 Scoping Memo.

PROPOSED CONCLUSIONS OF LAW

1. Regionalized de-energization Working Groups led by the large electric IOUs that include small and multi-jurisdictional electric utilities, community choice aggregators, electric POUs, **electrical cooperatives**, communications and water service providers, CPUC staff, tribal and local government entities, public safety partners, and 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 plan and execute de-energization protocols.

5. The electric IOUs should coordinate service territory-wide Advisory Boards that consist of public safety partners, communications and water service providers, **publicly owned electric utilities and electric cooperatives within or adjacent to an IOU service territory**, local and tribal government officials, business groups, non-profits, representatives of people/communities with access and functional needs and vulnerable communities, and academic organizations.

8. The electric IOUs should coordinate with the CPUC, CalFire, CalOES, communications providers, representatives of people/communities with access and functional needs, **POUs and electric cooperatives that are transmission customers of the IOUs**, and other public safety partners to plan de-energization mock exercises throughout the utility service territories in the areas with the highest historical and forecasted risk for de-energization in advance of fire season.

New. The electric IOUs should prepare plans and process for restoration of power that include clearly defined prioritization protocols.

New: The remaining issues identified in the August 2019 Phase 2 Scoping Memo should be resolved before the 2020 Wildfire Season.