

**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 PHASE 3 STAFF PROPOSAL**

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In accordance with the California Public Utilities Commission (Commission) Rules of Practice and Procedure and the direction set forth in the Assigned Commissioner’s Phase 3 Scoping Memo and Ruling, dated February 19, 2021, and the Email Ruling extending the comment deadline, dated March 2, 2021, the Northern California Power Agency (NCPA)<sup>1</sup> submits these comments on the *Proposed Additional And Modified De-Energization Guidelines In Addition To De-Energization Phase 2 Decision (D.20-05-051), Phase 1 Decision (D. 19-05-042) and Resolution ESRB-8* (Phase 3 Staff Proposal), dated February 19, 2021. On February 8, 2019, NCPA filed comments on the Rulemaking Order, thereby becoming a party to the proceeding at that time.

**I. INTRODUCTION**

Building off the de-energization protocols developed in the first two phases of this proceeding, together with the record developed in R.19-11-013 and the Safety and Enforcement Division Report on Late 2019 PSPS Events (SED Report), Commission staff has developed proposed updates and modifications to the existing de-energization guidelines for consideration in this new Phase 3 of the proceeding. As long as there is a need for proactive de-energizations for wildfire protection, it is incumbent upon the Commission to be sure that these events are carried out in a safe manner. The need to ensure that the de-energization protocols and guidelines take into account the impact that investor-owned utility (IOU) de-energization events

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<sup>1</sup> 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.

can have on publicly owned utilities (POUs) and electrical cooperatives that are transmission customers of an IOU or adjacent to an IOU's service territory has been an overarching concern for NCPA and its member agencies throughout this proceeding. NCPA has participated in this proceeding and offered comments on the importance of IOU engagement with POUs before, during, and after a de-energization event. The Phase 3 Staff Proposal, like every subsequent iteration of the guideline modifications, makes positive strides towards greater coordination and transparency throughout the PSPS process. However, it is not enough to merely have the rules and guidelines in place. The IOUs must adhere to the timing and notification requirements, and must follow-through with the required communications in order to ensure that POU and cooperative customers are not unduly adversely impacted by an IOU de-energization event; and the Commission must take whatever actions are necessary to enforce that compliance. Even when necessary as a tool of last resort, de-energization of power lines creates myriad risks for customers, utility personnel, public safety, and infrastructure. Each of those risks that the IOUs and IOU customers face within their service territory are present when the de-energization involves a power line that feeds into a POU or electric cooperative served by the IOU. For that reason, it is imperative that those impacted POUs and cooperatives have sufficient time to prepare for their own outages that result from the IOU de-energization.

As the SED Report noted, during the 2019 PSPS events, PG&E failed to follow the then-current de-energization guidelines. NCPA and its member agencies were not timely notified of pending de-energizations, did not receive correct or current information from PG&E's representatives during the duration of the outage, and were not consulted during re-energization.<sup>2</sup> Although PG&E's communications with NCPA and its POU member agencies have improved to some extent since that time, significant concerns remain with the way in which PG&E communicates with the transmission-line customer; while these customers are also public safety partners, transmission customers have additional, unique considerations that must be addressed before, during, and after a de-energization event. For example, while the Commission has encouraged public safety partner portals and PG&E has established one, to date, despite several requests for access, not all of the NCPA member agencies have been given access to the PSPS portal. It is gaps like these that the Commission must address moving forward.

NCPA supports the Commission's ongoing efforts to improve the de-energization

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<sup>2</sup> See *SED Report*, pp. 68-69, 79.

protocols and guidelines, and urges the Commission to continue not only in evolving the process, but also in taking necessary actions to ensure that the IOUs follow the guidelines in order to mitigate the impact of these outages on all customers, not just the IOUs' customers. NCPA offers the following comments on the Scope of Phase 3 and the Phase 3 Staff Proposal in furtherance of that objective.

## **II. COMMENTS ON PHASE 3 STAFF PROPOSAL<sup>3</sup>**

### **A. Pre-season and Post-Season Reports:**

The Staff Proposal clarifies the timing for both pre-season and post-season PSPS reports, and the content of those submissions.<sup>4</sup> While NCPA is sensitive to the resources required to submit such reports, the need for complete and accurate information regarding PSPS event planning and execution is critically important. NCPA urges the Commission to conduct a comprehensive review of the reports to confirm that all of the critical elements are included, thus ensuring that the reports are a meaningful exercise and not “busy work” for the already busy utilities. The reports should also continue to be made available to the public so that stakeholders can comment on them and also have the opportunity to ensure that their issues are addressed, particularly in advance of the upcoming fire season. For example, in PG&E’s 2021 Wildfire Mitigation Plan, PG&E addresses its engagement with POUs and notes that “*POUs are invited to PG&E’s daily Systemwide Cooperator Call to receive situational updates and have access to the PSPS Portal that contains maps and other event information (e.g., maps, impact lists, situation reports).*”<sup>5</sup> However, that is not the case. NCPA, as well as several of its members, have requested access to the portal; not only has this access not been granted, but PG&E has failed to provide any follow-up on the status of the access or give any information as to why the access has not been granted. As public safety partners, as well as transmission-level customers, NCPA and its member agencies should have access to the portal. Disseminating information of this type in a pre-season report, with the appropriate contact person to engage should there be questions, could help avoid concerns prior to the critical fire season.

Post-event and post-season reporting are important to help not only the Commission and

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<sup>3</sup> The topics are addressed in the order they are presented in the Staff Proposal, and not currently in any priority order.

<sup>4</sup> Phase 3 Staff Proposal, p. A-1.

<sup>5</sup> PG&E 2021 Wildfire Mitigation Plan Report, dated February 5, 2021, p. 900.

IOU review what transpired during a PSPS event, but also to help affected stakeholders get a better understanding of how the IOUs respond to specific conditions. The primary objective of any post-de-energization examination should be to help learn how to minimize, mitigate, or avoid another such event. However, the need to minimize the impacts of IOU de-energization events is not limited to just the IOU, as POU and cooperatives that are transmission customers of the IOUs face all of the same outage issues. Therefore, having information on the IOUs' outage that also impacted the POU or cooperative is also an important tool to help those utilities potentially minimize or mitigate impacts to their own customers and systems in the future. It is simply a matter of good utility practice for POU and cooperatives to assess any outage on their system to better understand the root cause and determine how to mitigate any potential future impacts. That is no less true in instances where the outage is brought about by an IOU de-energization event. The IOUs' post-event and post-season reports should include detailed information about the de-energization, including specific criteria and thresholds that were used to validate any de-energization event, including Black Swan thresholds. Even if this level of detail is not required to be shared in an after-the-fact assessment that the Commission and Wildfire Safety Division would review, the IOUs should be required to separately provide it to any POU or electric cooperative that was impacted by the IOU de-energization event within 10 calendar days of restoration.

## **B. Critical Facilities and Infrastructure**

The Phase 3 Staff Proposal would require the IOUs to create a webpage that includes information on how to qualify as a "critical facility," as well as links to an explanation of how to add a new critical facility.<sup>6</sup> NCPA supports the proposed further clarifications regarding critical facilities and infrastructure. In addition, NCPA believes that the IOUs must collaborate with the POU and electric cooperatives that are transmission-connected customers of the IOU to understand the critical facilities and infrastructure within the service territory of those POU and cooperatives. De-energization of power lines is intended to be a measure of last resort. In order to make an informed determination of whether risks associated with leaving the lines energized outweigh the adverse impacts of de-energization, the IOU must have a comprehensive list of known or foreseen adverse impacts that will be balanced against the wildfire risk; this includes

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<sup>6</sup> Phase 3 Staff Proposal, p. A-2.

the impacts on critical infrastructure and facilities that are located in the service territory of a POU or electric cooperative that is subject to the IOU de-energization. It is not possible for the IOU to truly determine if the adverse impacts of a forced outage are less than the potential fire-risk harm if the IOU is not fully aware of all those impacts – including those “downstream” of the IOUs’ own customers.

### **C. De-energization Exercises**

The Staff Proposal would require de-energization exercises to be included in the pre-season report; each IOU must conduct de-energization simulation exercises no later than 60 days after issuance of the revised guidelines, 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.<sup>7</sup> NCPA fully supports the practice of running de-energization exercises, and as public safety partners, the POUs and electric cooperatives should be included in these exercises. This is especially critical for the NCPA members that are also transmission customers of an IOU. However, despite the fact that the guidelines already require the IOUs to hold the exercises and include the POUs in the events, NCPA and its members agencies have not consistently been included in PG&E’s past events. This is another instance where the Commission must ensure not only that adequate guidelines are developed, but also that there is follow-through to be sure there is compliance with those rules.

### **D. Definition – Transmission-level Customers**

Staff proposes definitions for transmission-level and sub-transmission level customers.<sup>8</sup> These definitions are very important, as they trigger a higher level of notice priority, which is required when dealing with the type of service connections associated with transmission-line customers. The staff proposal suggests that transmission-level be defined as voltage over 69 kv that is under the authority of the California Independent System Operator (CAISO). Sub-transmission level would be defined as 34.5 kv to 69 kv and not under the authority of CAISO. The Staff proposal also clarifies that “each electric investor-owned utility must provide priority notification of any de-energization event to transmission-level customers.”<sup>9</sup> NCPA strongly

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<sup>7</sup> Phase 3 Staff Proposal, pp. A-1-A-2.

<sup>8</sup> Phase 3 Staff Proposal, p. A-4.

<sup>9</sup> *Id.*

supports the notion of priority notification for transmission-level customers, but does not believe that it is enough to simply define the voltage of service for determining transmission-level customers with priority notification requirements. Instead, the Commission should expand the definition of transmission-level customers to include any publicly owned utility or electric cooperative that is served by an IOU transmission line, irrespective of voltage. 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. Furthermore, not all utilities use the same definition for transmission lines; PG&E defines Transmission level as 60 kv or above. The Commission needs to ensure that the definition of “transmission level” reflects the *type* of service the IOU is providing, and not just apply an arbitrary voltage-level demarcation.

#### **E. Mitigation**

The Staff Proposal states that each IOU must evaluate the impact of de-energization on transmission, evaluate how to mitigate and prepare for those impacts, and include this evaluation in its post-event report.<sup>10</sup> NCPA believes that mitigating the impacts of PSPS events on transmission lines is vital to reducing the overall scope and impact of the outages. The IOUs should be continuously studying their systems and engaging in analysis that will allow them 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. If necessary, as a tool of last resort, a utility must have the ability to de-energize lines to avoid worse damage and injury. However, the scope of the outages – and the total impact – can be significantly reduced if the utility utilizes tools available to study its system and plan accordingly. The IOUs should undertake these analyses in conjunction with the POUs and electric cooperatives to which they provide transmission service, so that the expertise of the local entities can also be utilized, and so that the IOUs have a full and complete understanding of the impacts that would occur at the other end of the transmission line. Since the IOUs’ customer is actually the POU or cooperative, the IOUs lack the visibility into

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<sup>10</sup> Phase 3 Staff Proposal, p. A-7.

the total scope of the impact that the POU/cooperative could provide. This insight is necessary not only to help mitigate the impact, but also for the IOU to be able to make a fully-informed decision on whether the de-energization is even the appropriate tool to use under any given circumstances. This assessment should be a dynamic and ongoing exercise, which if implemented broadly, can profoundly mitigate the impact of a de-energization event.

#### **F. Notification**

The Staff proposal includes numerous new notification requirements that cover expanded outreach and access to information, as well as emphasize the importance of accurate and timely notices, cancellation notices, and scope of the events.<sup>11</sup> These modified requirements include notifying and coordinating with the CAISO, as well as providing priority notification with transmission-level customers when the IOU is 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. The importance of timely and accurate notifications cannot be overstated. Each time a transmission-connected POU or electric cooperative faces an outage, that public agency must move forward with their own outage protocols, notifications, and mitigation to the same extent as the IOU, including special outreach to their own access and functional needs customers and setting up community resource centers. These affected utilities must have timely and accurate information in order to make such preparations and protect their own communities. It is imperative that the Commission not only promulgate guidelines addressing the necessary notifications, but also take all steps necessary to ensure that the guidelines are followed by the IOUs.

The Staff Proposal would require communications with public safety partners, "to the extent feasible, prior to de-energization," to include specific information about the outage including:

- a. Consolidated lists of impacted meter information, device information, and address information;
- b. Estimated time intervals for de-energization, reenergization, and "all clear" notices;
- c. Links to corresponding information in IOU portals; and
- d. Maps and shapefiles with each notice from the outset (i.e., from the 72-hour notice through the restoration of service).<sup>12</sup>

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<sup>11</sup> Phase 3 Staff Proposal, p. A-7.

<sup>12</sup> Phase 3 Staff Proposal, p. A-8.

This information is also to be included in a portal that the utilities are required to establish for their public safety partners. All of these things are critically important to all public safety partners, and especially so for those that are also transmission customers of an IOU. It is not enough however, to merely mandate the establishment of the portal. The Commission must ensure that the IOUs provide access to the portal to all public safety partners in a timely fashion, and that the information in the portal is accurate. The access and interface should be established well before the onset of the most critical fire season, and the IOUs should include procedures for testing public safety partner access and interface as part of their de-energization exercises.

#### **G. Regional Working Groups**

The Staff Proposal recommends that the quarterly working group meetings primarily focus on management of de-energization events and the issues set forth in the Phase 2 and 3 Guidelines.<sup>13</sup> NCPA supports this focus for the Regional Working Groups, as the revisions to the guidelines are intended to address areas of ongoing concern or new problems that have arisen. However, these working group meetings can only be useful if they are inclusive of all affected stakeholder groups, and this has not always been the case. Therefore, the Commission should follow-up with the IOUs and ensure that their regional working groups are engaging all of the necessary stakeholders, including transmission-impacted POUs and cooperatives.

### **III. Scope of Phase 3**

The Staff Proposal includes a number of necessary and timely improvements to the existing de-energization guidelines. However, there are still areas in the guidelines where further development is needed, and which should be addressed in this Phase 3 prior to the onset of the coming wildfire season.

#### **A. Phase 3 Must Address Clearly Defined Prioritization Protocols for Restoration**

The Phase 2 updates to the de-energization protocols included much needed direction regarding the timing for restoration of power after a de-energization event, as well as notices to affected customers. D.20-05-051 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

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<sup>13</sup> Phase 3 Staff Proposal, p. A-9.

of a de-energization event,” and recognizes that there may be conditions and necessary repairs that necessitate longer restoration times.<sup>14</sup> The Decision acknowledges that “NCPA notes that electric IOU plans and processes for restoration of power must include clearly defined prioritization protocols. NCPA indicates further that the de-energization guidelines should be revised to require that the processes and practices used for re-energization be formally developed into protocols that can be followed in the future and must be coordinated with generation operations from impacted entities.” However, the specific guidelines for restoration found in D.20-05-051<sup>15</sup> do not address prioritization protocols at all. Instead, the guidelines are limited to providing instruction to the IOUs regarding notice and timing for restoration events. And while D.20-05-051 acknowledges the importance of timely restoration, the Commission has yet to formally direct the IOUs to address prioritization for restoration. NCPA believes that this is a significant deficiency in the de-energization protocols, and urges the Commission to rectify this oversight in the Phase 3 amendments.

The de-energization guidelines should be further revised to require that the processes and practices used for re-energization be formally developed into protocols that can be followed in the future and must be coordinated with generation operations from impacted entities. Furthermore, those protocols must be developed by taking into account the relative impact of the de-energization event and the scope of continued harm to the deenergized entities. NCPA urges the Commission to include within the de-energization protocols requirements that the IOUs have a written policy that clearly articulates how the IOUs are going to prioritize restoration, and that the policy considers not only the customers directly connected to the IOU’s distribution system, but also considers impacts on customers of transmission-connected entities, like POUs, and generators that are also impacted by the PSPS events.

**B. Phase 3 Should also Direct that De-Energization Exercises Include Planning for Mutual Assistance**

The Phase 3 updates should include a discussion on greater coordination for mutual assistance. NCPA has raised the issue of mutual aid and assistance during and after a de-energization, and urged the Commission to direct the IOUs to better coordinate with public safety partners and other utilities in advance of a potential de-energization event. NCPA urges

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<sup>14</sup> D.20-05-051, p. 46.

<sup>15</sup> *Id.*, Appendix A, pp. 6-7

the Commission to require that the IOUs' de-energization exercises include coordination for mutual aid during an event, and through to the re-energization and restoration phase of the event. The IOUs should work with the POU's and electric cooperatives adjacent to their service territories to coordinate the provision of mutual assistance during the PSPS and restoration. This coordination would allow the IOU to optimize the use of POU or electric cooperative resources in areas where they have local knowledge and expertise, potentially shortening the duration of the outage and corresponding impacts.

#### **IV. CONCLUSION**

NCPA appreciates the opportunity to offer this feedback to the Commission and looks forward to continuing to work with the Commission, the IOUs, and other stakeholders on improving the process for de-energization events. The Commission cannot, however, merely adopt new and improved rules, and stand back. The Commission must take all necessary actions to ensure that the rules are followed, and that the minimum notice and communication requirements are adhered to in order to protect electricity customers across the state.

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Respectfully submitted,



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