



To: RCRC Board of Directors
From: Staci Heaton, Regulatory Affairs Advocate
Leigh Kammerich, Regulatory Affairs Specialist
Date: March 5, 2019
Re: RCRC Participation in CPUC Wildfire Proceedings — **ACTION**

Summary

The California Public Utilities Commission (CPUC) has initiated two proceedings that will have significant impacts on how investor-owned utilities (IOUs) engage with the public on wildfire hazard mitigation and de-energization of power grids to prevent high severity wildfires. This memo provides a summary of those proceedings, and the staff recommendation that RCRC file for official party status in both rulemakings.

Background

The CPUC has begun two separate proceedings to tackle the complex issues surrounding IOUs and their role in wildfire prevention. First, the CPUC is using an existing proceeding opened in October 2018 to conduct the public review process for the IOUs' wildfire hazard mitigation plans pursuant to Senate Bill 901 (Dodd), which was signed into law in 2018. The proposed timeline for the adoption of the plans is attached (Attachment 1). The IOUs submitted their initial plans on February 6, 2019, which are available for public review on the CPUC's website: <http://cpuc.ca.gov/SB901/>.

The second proceeding will determine how the IOUs conduct their de-energization events when there are extreme wind events and elevated threats of wildfire. The rulemaking was opened in December 2018, with workshops held in Santa Rosa in December, and Calabasas in January, to discuss potential, and already-seen impacts of utility de-energization practices. The IOUs "Public Safety Power Shutoff Programs" are available for public review on the CPUC website: <http://www.cpuc.ca.gov/deenergization/>.

CPUC proceedings in cases such as these are considered "quasi-legislative," because they establish policy or rules affecting a class of regulated entities. In order to file comments that are considered as part of the formal record of a proceeding, which have greater impact in a quasi-legislative rulemaking, an entity must file for "party status" with the CPUC.

Issue

Due to the complex nature of both the development of the wildfire hazard mitigation plans and the de-energization programs, as well as the potential impacts both proceedings could have on RCRC member counties and their residents, RCRC staff recommends filing for party status in both rulemakings to enable full participation throughout the process. These rulemakings will also intersect with actions being undertaken at the California Board of Forestry and Fire Protection throughout the year to implement SB 901, as well as other potential legislative actions on utilities and fire prevention.

Staff Recommendation

RCRC staff requests the RCRC Board of Directors approve staff's recommendation to file for party status on both the Utility Wildfire Mitigation Plans proceeding (Docket No. R.18-10-007) and the De-Energization Rulemaking (Docket No. R.18-12-005) in order to fully participate in the public process. RCRC staff will update the Board of Directors on both proceedings as they progress in the coming months.

Attachment

- CPUC Actions on SB 901 and Wildfires - Fact Sheet and Timeline