

Commission on Catastrophic Wildfire Cost and Recovery Request for Comment

Based on the testimony heard at meetings on February 25th, March 13th and April 3rd, the Commission on Catastrophic Wildfire Cost and Recovery is requesting public input on the following topics. Your comments, including those already received, will play an important role in informing the Commission's report to the Governor and Legislature.

Commenters are encouraged to submit by April 22nd at 5:00 pm to help inform the next Commission meeting on April 29th, although all comments, regardless of submittal date, will be shared with the Commissioners and posted online. Please limit your comments to 20 pages plus appendices and provide as much detail and supporting data as possible for any recommendations.

Please submit comments to wildfirecommission@opr.ca.gov.

Feel free to respond to any, or all, of the following questions.

1. Wildfire liability regime

- a. What, if any, issues exist with the application of the inverse condemnation doctrine? Do they limit the equitable distribution of wildfire costs, and if so, how?
- b. What benefits, if any, are provided by the current application of the inverse condemnation doctrine?
- c. What, if any, changes to the utility wildfire liability regime do you recommend, and what are the consequences of these changes?

2. Insurance

- a. What actions can improve utility access to affordable wildfire liability insurance?
- b. What actions can ensure that local governments, homeowners, and businesses are adequately insured for wildfire loss? What actions can improve availability and affordability of homeowners' and commercial insurance?

3. Financing mechanisms

- a. What specific problems related to wildfire cost assignment and recovery should a dedicated wildfire fund or other financial mechanism address?

- b. What financial mechanism(s) best address the problems you identify within the current liability and insurance regimes? Please provide as much detail as possible regarding proposals (e.g. What liabilities would be covered? Who are the involved parties? What is the administrative structure? How is it capitalized and funded? What level of capitalization is needed? How would subrogation and damage claims be handled? Is it scalable and how? What are the consumer impacts? What are the risks to the proposed approach?)

4. Community and wildfire victim impacts

- a. What are the specific needs of communities and wildfire victims in considering how costs are socialized?
- b. What are the specific needs of communities and wildfire victims in considering a potential wildfire fund or other financial mechanism?

5. Miscellaneous

- a. Do you have other recommendations for ways to reduce wildfire damage and costs that the Commission should consider?
- b. Do you have other recommendations to ensure a more equitable distribution of wildfire costs and liabilities that the Commission should consider?