COUNTY OF SONOMA

575 ADMINISTRATION
DRIVE, ROOM 102A
SANTA ROSA, CA 95403

SUMMARY REPORT

Agenda Date: 12/8/2020

To: Board of Supervisors, County of Sonoma
Department or Agency Name(s): County Administrator's Office and County Counsel
Staff Name and Phone Number: Petra Bruggisser, ext. 3744
Vote Requirement: Informational Only
Supervisorial District(s): All

Title:
Update on Sonoma County's Advocacy at the California Public Utilities Commission

Recommended Action:
Receive an informational update on Sonoma County's advocacy efforts at the California Public Utilities Commissions.

Executive Summary:
As Sonoma County recovers from the recent wildfire disasters and de-energization events, the County continues its strong advocacy for the needs of our community in a number of regulatory proceedings at the California Public Utilities Commission (CPUC). Wildfire mitigation, infrastructure hardening and de-energization are key issues for disaster preparedness and resiliency, and align with the Board's goals outlined in Sonoma County's Recovery & Resiliency Framework approved by the Board in December 2018.

The Board received an informational update on the County's advocacy at the CPUC on April 14, 2020. This report provides a further update on these important issues.

Discussion:
Since December 2018, Sonoma County has been involved in a number of proceedings at the CPUC to support our community's path towards a more resilient future. Board members, department heads, and emergency management participated in meetings and discussions with CPUC Commissioners and staff, legislative staff, and PG&E representatives to inform them about the existential impacts wildfires and de-energization events have on our community and local government.

To maximize impact, the County has partnered with other local governments and formed a strong coalition of counties and cities to voice concerns and propose solutions on these important issues. The largest coalition now consists of the Counties of Sonoma, Napa, Mendocino, Nevada, Marin, Santa Barbara, Solano, Kern, and the City of Santa Rosa in the de-energization proceeding to advocate jointly for local government and community needs during power shut-off events.

The County, as part of the local government coalition, is represented at the CPUC through legal counsel Megan Somogyi of the law firm of Goodin, MacBride, Squeri & Day, LLP. The local governments have pooled their resources together to share the cost for legal services on matters of joint interest.

Overview of CPUC Proceedings
The County has been participating in the following proceedings:

- Rulemaking 18-10-1007 (SB 901 - Wildfire Mitigation Plan)
  This rulemaking opened in 2018 in response to Senate Bill 901, which requires investor-owned electric utilities to submit annual wildfire mitigation plans. It provides a venue for review of plans, and develop and refine the content of and process for review and implementation of future wildfire mitigation plans.

- Rulemaking 18-12-005 (De-Energization)
  This rulemaking opened in December 2018 to specifically address de-energization issues. It examines best practices, notification protocols, utility coordination with state and local first responders, minimizing impact on vulnerable populations, reporting requirements, and other issues related to de-energization of utility power lines.

- Rulemaking 17-05-010 (Rule 20A Undergrounding)
  This proceeding started in May 2017 to consider whether changes are warranted to "Electric Rule 20.A," which governs the system of credits that PG&E must grant to public entities toward the cost of undergrounding electrical utility lines.

- Rulemaking 18-03-11 (Emergency Disaster Relief Program)
  This rulemaking opened in March 2018, to examine the need for a statewide customer disaster relief program. It is now in Phase 2, which is focusing heavily on resiliency for communications providers during de-energization events and wildfires. The County did not obtain party status in this proceeding, but submitted a letter to the CPUC in support of requirements for wireless telecommunications system resiliency measures.

- Application 18-12-009 (PG&E 2020 General Rate Case)
  PG&E filed its 2020 general rate case in December 2018, seeking to increase utility rates beginning in 2020 to cover costs that PG&E estimates will be incurred from now through 2022 for a proposed Community Wildfire Safety Program.

- Rulemaking 19-01-006 (Financial Stress Test)
  This proceeding opened in January 2019 to implement Public Utilities Code § 451.2(b), which is the provision of SB 901 that was designed to cap utility shareholder liability for wildfire-related costs, also referred to as the "stress test."

- Investigation 19-06-015 (2017 Sonoma County wildfires)
  In June 2019, the CPUC issued an Order Instituting Investigation (OII) to determine whether PG&E violated any laws, rules or requirements pertaining to the maintenance and operation of its electric facilities that were involved in igniting fires in its service territory in 2017.

- Investigation 19-11-013 (2019 PSPS Events)
  Following the widespread power shutdowns in the Fall of 2019, the CPUC opened a formal

Investigation to investigate the 2019 PSPS events conducted by all three large utilities, including the effectiveness and impacts of communications and coordination with local governments.

- Rulemaking 19-09-009 (Microgrids and Resiliency Strategies)
  The CPUC opened this Rulemaking in September 2019 to explore ways to optimize the existing resiliency programs, revamp the utilities' interconnection tariffs, and provide near-term mitigation for PSPS events.

The level of participation varies depending on current needs, and may range from simply monitoring a proceeding, to attending meetings with Commissioners and staff, participating in workshops, providing testimony and submitting filings in these proceedings. Through these various means of participation, Sonoma County continues to advocate for a wide variety of quantifiable measures and action items to

- reduce the risks of wildfires,
- reduce the impacts of de-energization events,
- allow cost recovery, including bill credits, to offset financial hardships associated with de-energization events,
- improve communication protocols to ensure public safety priorities,
- restructure existing underground criteria, and
- enhance the health, safety and well-being of our community, vulnerable populations, medical service providers and first responders

The local government filings, critique and proposals have garnered much attention and success, both at the regulatory and legislative level state-wide, and have led to media reporting on PG&E's repeated shortcomings in de-energization events. Following are a few examples highlighting recent actions and successes.

A comprehensive list of all efforts, filings and achievements is contained in Attachment A.

De-energization
Improvements in de-energization processes, notifications, communications and community outreach remain a key focus for the County. The recent emergencies have highlighted yet again the crucial importance of these issues and need for action. For example, Sonoma County presented evidence to the CPUC that PG&E failed to require its EOC staff to have adequate SEMS (standardized emergency management system) training before the 2019 de-energization events, as reported by the Associated Press. (*PG&E lacked basic training before California blackouts*, Associated Press, Michael Liedtke and Justin Pritchard, October 18, 2020). PG&E is now required to provide SEMS training to their EOC staff which has notably enhanced communications with local emergency managers during disasters.

The impacts of de-energization are compounded by the COVID-19 pandemic. Early on, Sonoma County filed a joint motion in April, with a number of other local governments and access and functional needs (AFN) community representatives, for special de-energization regulations during the COVID-19 pandemic. In response, the CPUC pledged to closely monitor COVID-19 issues in connection with the existing de-energization framework, and to take necessary actions to protect public safety. Critical facilities were identified that are at risk of de-energization and that require power for treating COVID-19 patients, and related services.

Community Resource Centers were redesigned to allow for social distancing and improved air circulation.

The County continues to provide substantive comments to PG&E's after action reports to address the utility's shortcomings and chronic communication issues, and to inform future actions taken by the CPUC regarding the 2020 de-energization events.

In addition, County staff is exploring options for collaboration and funding for a comprehensive project to assist vulnerable community members in preparing for and responding to disasters and de-energization events. This may include additional supports for clients of the County's Adult and Aging programs and possibly the creation of a countywide disaster registry to help identify those in the community that need extra assistance during disasters or power shutoffs. Staff has initiated discussions with PG&E to explore funding opportunities for this work.

Vegetation Management & System Hardening

As part of PG&E's settlement with the CPUC's Safety Enforcement Division related to the 2017 Fires, the County advocated for more transparency and information sharing related to vegetation management and system hardening. As a result, PG&E is now required to provide month-ahead vegetation management and system hardening reports to local governments to assist with better planning and coordination. Sonoma County is now receiving these reports.

Undergrounding

Sonoma County has joined other local governments to oppose plans to phase out the Rule 20A undergrounding program. Undergrounding provides significant benefits beyond aesthetics and should remain available to communities that want to take advantage of the program. Sonoma has also advocated to expand the public interest criteria for Rule 20A to include safety and reliability for enhanced wildfire mitigation and resiliency.

Microgrids & Resiliency Strategies

In addition to the County's disaster and emergency resiliency goals, the Board also identified a county-wide Climate Change Framework in May 2018, to reduce greenhouse gas emissions, promote a sustainable, climate-resilient economy, and built resources to withstand the impacts of climate change. The County has also identified Climate Action and Resiliency as one of its five strategic pillars. In line with all of these goals, the County recently joined a CPUC proceeding on microgrids and resiliency strategies. The County is recommending that the CPUC adopt the following measures to facilitate local resiliency planning, including

- enhanced information sharing regarding PG&E's local distribution and transmission network, and planned infrastructure upgrade projects,
- development of a resiliency project engagement guide to make the process of developing microgrids less opaque,
- creation of a dedicated team for local government projects, to help with advance planning information, prioritizing projects to maximize resources, and
- creation of a separate web portal for local governments to allow sharing of project-related information, circuit maps, PSPS information, etc.

Sonoma County successfully protested PG&E's Advice Letter 5883-E, which proposed to implement certain aspects of the new microgrid/resiliency framework, including PG&E's plan to charge certain critical facilities for emergency backup generation PG&E provides during de-energization events. As a result of our protest, the CPUC suspended PG&E's advice letter.

Energy Sustainability & Climate Change

To supplement our advocacy at the regulatory level, the County has also taken steps to initiate collaboration among local stakeholders to coordinate a response to electric infrastructure and power reliability needs in a sustainable way and built resources to withstand the impacts of climate change. Sonoma County participated in a meeting hosted by Sonoma Clean Power in March 2020, which was attended by a wide variety of stakeholders, including representatives from local municipalities, emergency departments, water districts, air quality boards, and rural counties. A number of action-items were identified for near- and longer-term collaboration in areas of data access, funding, transmission outages, and microgrids. Unfortunately, due to the pandemic and other compounding emergencies in Sonoma County since March, staff did not have the opportunity to focus on these collaborative efforts over the recent months. Staff will resume efforts to work with County partners and local stakeholders as soon as possible to advance the Board's goals on climate change and sustainability, in addition to disaster preparedness and resiliency.

Continued Advocacy

While Sonoma has achieved broad success in getting the CPUC to adopt necessary regulations and changes on a number of issues, there are still needed improvements to existing programs and rules, especially with respect to PG&E's de-energization events. Continued participation at the CPUC will ensure that PG&E is held accountable for its shortcomings and that regulations will be developed to ensure that local governments and our community receive the partnership, information, and resources they need now and in the future. The County will continue its advocacy on all fronts to help implement the Board's priorities to move the County forward into a more resilient future.

This item provides an informational update only. No Board action is requested.

Prior Board Actions:

May 8, 2018: Board adopted the Climate Change Action Resolution to support a county-wide framework for reducing greenhouse gas emissions and to pursue local actions that support the identified goals therein

December 11, 2018: Board authorized County participation in California Public Utilities Commission wildfire related proceedings

February 26, 2019: Board authorized funding for outside counsel and County Counsel to provide legal advice and representation in CPUC proceedings up to a not-to-exceed amount of $150,000, as well as $50,000 funding for County Counsel to oversee and coordinate this work with County staff and partner counties
April 2, 2019: Board received an informational update on the County's participation in CPUC proceedings

April 14, 2020: Board received an informational update on the County's participation in CPUC proceedings

May 19, 2020: Board approved the renewal of the legal service agreement with Megan Somogyi for 2 years and a not-to-exceed of $150,000 amount

FISCAL SUMMARY

Expenditures	**FY 20-21 Adopted**	**FY21-22 Projected**	**FY 22-23 Projected**
Budgeted Expenses			
Additional Appropriation Requested			
Total Expenditures			
Funding Sources			
General Fund/WA GF			
State/Federal			
Fees/Other			
Use of Fund Balance			
Contingencies			
Total Sources			

Narrative Explanation of Fiscal Impacts:
N/A

Staffing Impacts:			
Position Title (Payroll Classification)	**Monthly Salary Range (A-I Step)**	**Additions (Number)**	**Deletions (Number)**

Narrative Explanation of Staffing Impacts (If Required):
N/A

Attachments:
Attachment A: Summary of CPUC Proceedings

Related Items “On File” with the Clerk of the Board:
N/A