



SONOMA COUNTY CPUC PROCEEDINGS

Sonoma County has been participating in the following proceedings:

- Rulemaking 18-10-1007 (SB 901 – Wildfire Mitigation Plan)
- Rulemaking 18-12-005 (De-Energization)
- Rulemaking 17-05-010 (Rule 20A Undergrounding)
- Application 18-12-009 (PG&E 2020 General Rate Case)
- Rulemaking 19-01-006 (Financial Stress Test)
- Investigation 19-06-015 (2017 Sonoma County wildfires)
- Investigation 19-11-013 (2019 PSPS Events)
- Rulemaking 19-09-009 (Microgrids and Resiliency Strategies)
- Rulemaking 18-03-11 (Emergency Disaster Relief Program)
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Through its participation, Sonoma County has –along with its fellow local government partners- educated stakeholders about the role of local governments in emergency response, provided voluminous first-hand information about PG&E’s practices and shortcomings, substantially shaped de-energization regulations the CPUC has adopted, prompted PG&E to make improvements to its de-energization program in general and in response to the COVID-19 pandemic, and has commanded the attention and respect of CPUC Commissioners, CPUC staff, and the other parties. While Sonoma has achieved broad success in getting the CPUC to adopt rational and necessary regulations on a variety of issues, there are still a number of needed improvements to rules and programs, especially with respect to 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 their residents receive the partnership, information, and resources they need now and in the future.

R.18-12-005 - De-Energization Rulemaking

Sonoma County has participated actively in the CPUC’s de-energization rulemaking as part of a Joint Local Government coalition since December 2018. The coalition is responsible for the CPUC and PG&E adopting a number of de-energization regulations and protocols. Notable achievements include:

- PG&E must ensure that Community Resource Centers (CRCs) provide charging for medical devices, not just small personal electronics;
- PG&E must site CRCs in consultation with local governments to ensure the locations are rational and will serve the impacted communities;

- PG&E is required to undertake better outreach and education for tenants of master-metered properties, such as mobile home parks;
- PG&E is required to enhance information sharing, including establishing a web-based portal, and to ensure a direct line of communication with local governments before, during and after de-energization events;
- PG&E is required to participate in practice de-energization exercises with local governments to troubleshoot issues and improve practices before a real event;
- PG&E is required to work with local governments to improve the utility's medical baseline registry and to develop ways to improve outreach to Access and Functional Needs (AFN) populations;
- PG&E agreed to cancel its policy of instructing AFN residents to call 9-1-1 for non-medical-emergency transportation or other needs in response to PSPS events;
- PG&E is required to ensure that its Emergency Operations Center staff receive Standardized Emergency Management System training and certification; see Associated Press article: *PG&E lacked basic training before California blackouts*, Michael Liedtke and Justin Pritchard, October 18, 2020;
- PG&E is required to establish de-energization advisory boards and working groups comprised of community stakeholders to improve de-energization practices and procedures;
- PG&E also formed a small advisory council of emergency managers and local government representatives, including Sonoma County, to provide advice and direct feedback that will improve de-energization events;
- In 2020, PG&E is providing improved parcel-level outage maps for de-energization events; and
- PG&E is required to develop notification protocols for circumstances where telecommunications systems are not working.

Sonoma County's de-energization Rulemaking filings are available:

- Phase 1 Comments on the Rulemaking:
<http://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M263/K645/263645370.PDF>
- Phase 1 Comments on Staff Proposal:
<http://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M274/K138/274138147.PDF>
- Phase 1 Reply Comments on Staff Proposal:
<http://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M279/K246/279246536.PDF>
- Phase 1 CPUC Decision:
<http://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M296/K598/296598822.PDF>
- Phase 2 Comments on Revised PSPS Protocols:
<http://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M328/K686/328686334.PDF>
- Phase 2 Reply Comments on Revised Protocols:
<http://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M328/K686/328686372.PDF>
- Phase 2 CPUC Decision:
<https://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M339/K524/339524880.PDF>

De-Energization and COVID-19

In April 2020, the Sonoma County filed a joint motion, with a number of other local governments and AFN community representatives, for special de-energization regulations during the COVID-19 pandemic:

- Motion: <https://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M339/K524/339524880.PDF>
- Reply: <https://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M335/K411/335411141.PDF>

The CPUC issued a ruling on August 24, 2020, stating the CPUC's belief that the existing de-energization protocols mandate the robust coordination between utilities and local governments requested in the motion, and holding the motion in abeyance. The CPUC pledged to continue to monitor closely the COVID-19 issues that arise in connection with de-energization events and take any necessary action to protect public safety. Notwithstanding the CPUC's decision to hold the motion in abeyance, the CPUC and the utilities have taken the concerns raised in the motion seriously:

- PG&E has identified all hospitals in its service territory that are treating COVID-19 patients, identified the subset of those hospitals that are at risk of de-energization, and is working to ensure either grid-based solutions or sufficient backup generation to allow the hospitals to function at full capacity during a de-energization event;
- The CPUC made extensive inquiries during recent public PSPS progress briefings by the electric utilities into the utilities' efforts to protect food banks, emergency or auxiliary medical facilities, and other important facilities (e.g., pharmacies) that are necessary for COVID-19 services;
- PG&E is working to provide 24-hour backup batteries for medical devices to the medical baseline customers in high fire threat areas;
- PG&E is partnering with and subsidizing local food banks and Meals on Wheels, including organizations serving Sonoma County residents, to provide food replacement and welfare checks to vulnerable households impacted by de-energization; and
- CRCs have been redesigned to allow for social distancing and improved air circulation.

Investigation 19-11-013

The CPUC opened an Investigation into all three large utilities' 2019 de-energization events and the extent to which the utilities failed to implement the CPUC's regulations.

- Sonoma County's Response to the Investigation (January 10, 2020):
<http://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M324/K940/324940633.PDF>
- Sonoma County's Comments on Phase 2 of the Investigation (October 16, 2020):
<https://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M348/K821/348821152.PDF>
 - In Phase 2 comments, Sonoma County argues for a \$100,000 bill credit for all local governments that activated their Emergency Operations Centers during the 2019 PSPS events, and an additional \$45.3 million financial penalty for PG&E's failure to plan adequately for PSPS

CPUC Safety and Enforcement Division Staff issued a report on the 2019 events, which relied extensively on the local government coalition's input:

https://www.cpuc.ca.gov/uploadedFiles/CPUCWebsite/Content/News_Room/NewsUpdates/2020/SED%20Public%20Report%20On%20The%20Late%202019%20PSPS%20Events.pdf

The Investigation remains open for additional fact-finding and input from the parties. Reply comments in Phase 2 are due November 16, 2020.

PG&E Order to Show Cause

The CPUC issued an order directing PG&E to show cause why it should not be fined for the way it conducted the October 2019 de-energization events. The local government coalition provided written testimony addressing PG&E's failings and proposing refunds to impacted local governments:

- Direct testimony:
<http://docs.cpuc.ca.gov/PublishedDocs/SupDoc/R1812005/2528/328393658.pdf>
- Rebuttal testimony:
<http://docs.cpuc.ca.gov/PublishedDocs/SupDoc/R1812005/2528/328393658.pdf>

The proceeding will continue through the remainder of 2020.

De-energization After Action Reports

In 2019 and 2020, Sonoma County submitted responses to PG&E's after-action reports for each PSPS event that impacted the County. In 2019, the County's responses focused on PG&E's failures to communicate and coordinate effectively, and the cumulative on-the-ground impacts of PG&E's back-to-back large-scale PSPS events. The 2019 responses provided valuable information to the CPUC and have been widely cited in filings by a number of parties in the various ongoing proceedings addressing the 2019 PSPS events. In 2020, the County's responses continue to address PG&E's shortcomings and chronic communication issues, and will likely form part of the record for any future action the CPUC chooses to take regarding the 2020 PSPS events.

Meetings with CPUC Commissioners and Staff

Sonoma County's elected officials, emergency managers, and attorneys have been granted meetings with CPUC Commissioners themselves, the Commissioners' offices, and Safety and Enforcement Division management and staff, all in accordance with the CPUC's *ex parte* rules, to discuss a number of issues related to de-energization and impacts to local governments.

News Coverage

Sonoma County's January 2020 filing in Investigation 19-11-013 presented new evidence that PG&E failed to require its EOC staff to have any emergency management training. The Associated Press turned that evidence into an article exploring PG&E's failure to properly train its PSPS staff:

- *PG&E lacked basic training before California blackouts*, Associated Press, Michael Liedtke and Justin Pritchard, October 18, 2020

Sonoma County's filings in response to PG&E's October 9, 2019 de-energization event, characterized as a "blistering critique," also became the subject of several news articles:

- *'Like Battling the Hydra': Counties say PGE failed them in outages*, SF Chronicle, J.D. Morris, October 17, 2019
- *PG&E CEO Says It Could Impose Blackouts in California for a Decade*, The Wall Street Journal, Katherine Blunt, October 18, 2019
- *PG&E resists calls to change shutoffs despite widespread frustration*, Politico, Colby Bermel, October 16, 2019
- *PG&E power shutdown slammed by local governments*, The Press Democrat, Will Shmitt, October 17, 2019

PSPS Legislation

At the invitation of Senator Dodd's office, the local government coalition has provided input on draft language relating to PSPS improvements. Senate Bill 862, in particular, which proposed to expand the utilities' obligations to plan and provide resources for AFN populations, and which included PSPS events in the definition of events covered by the Emergency Services Act, was informed significantly by our coalition's input. Due to the COVID-19 pandemic, SB 862 was among the bills that did not have sufficient time to pass through the full approval process. The issues addressed in SB 862 may, however, be taken up again in the new legislative session.

Rulemaking 18-03-011 - Disaster Relief Proceeding

In March 2018, the CPUC opened Rulemaking 18-03-011 to generally examine the need for a statewide customer disaster relief program. This proceeding predates the CPUC's expansion of PSPS authority to PG&E and SCE, and also predates PG&E's PSPS events. The Rulemaking is now in Phase 2, which is focusing heavily on resiliency for communications providers during PSPS events and wildfires.

<http://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M328/K685/328685793.PDF>

A number of CPUC staff reached out to Sonoma County and our coalition members and legal counsel asking for our participation and input on the proposal, specifically based on the work Sonoma County and our coalition has done in the PSPS rulemaking and associated proceedings. While none of our coalition members obtained party status in R.18-03-011, Sonoma County and several other members submitted a letter to the CPUC in support of the requirements for wireless telecommunications system resiliency measures. The CPUC adopted the pending requirements unanimously and is now considering extending them to wireline service providers.

Rulemaking 19-09-009 - Microgrids

The CPUC opened a Rulemaking in September 2019 to implement short-term resiliency solutions to help communities withstand de-energization events, as well as to improve long-term resiliency through increased use of microgrids. Sonoma County's de-energization advocacy played a significant role in the regulations the CPUC adopted. CPUC staff reached out directly to ask what information-sharing and utility coordination local governments wanted with respect to de-energization and resiliency planning;

those requests appeared almost verbatim in the CPUC's Staff Proposal. Specifically, the CPUC Staff Proposal adopted extensive and detailed information-sharing and coordination requirements for the utilities regarding:

- Local utility infrastructure upgrade projects
- County-specific circuit information
- Historical weather data and likely de-energization scenarios
- Information necessary for communities to plan for and implement microgrids
- Sonoma County's reply comments on the Staff Proposal:
<http://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M327/K740/327740791.PDF>
- The CPUC Decision adopting the Staff Proposal:
<https://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M340/K748/340748922.PDF>

Sonoma County also 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. On August 17, 2020, CPUC staff suspended the Advice Letter on the grounds that further staff review was necessary. CPUC staff may order PG&E to revise its proposal or take other actions to address the local government coalition's concerns. As of the date of this status update, the Advice Letter remains suspended.

R.18-10-007 - Wildfire Mitigation Plan Rulemaking

The CPUC opened Rulemaking 18-10-007 in October 2018 pursuant to the requirements of Senate Bill 901, which required the electric utilities to create and submit to the CPUC Wildfire Mitigation Plans (WMPs)

- Sonoma County submitted comments on PG&E's WMP on March 13, 2019:
<http://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M272/K339/272339605.PDF>
- On April 29, 2019, the CPUC issued a Proposed Decision approving PG&E's WMP and adopting several of our recommendations.
- Sonoma County filed opening comments on the Proposed Decision on May 20, 2019:
<http://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M290/K872/290872460.PDF>
- Sonoma County filed reply comments on the Proposed Decision on May 28, 2019 [link to e-filed version not available on CPUC docket]

The final CPUC decision on PG&E's WMP adopted the following recommendations from the local government coalition:

- PG&E should address its workforce shortage by partnering with local departments of public works, where possible, to take advantage of skilled labor;
 - PG&E should consider whether a community has ingress/egress constraints when undertaking system hardening activities (i.e., should power lines be underground);

- PG&E must provide local governments access to its internal weather and fire risk data and modeling (“situational awareness” information) in real time via a secure web portal;
 - Future WMPs must address how PG&E provided situational awareness information to local governments, how effective that coordination was, and what improvements PG&E will make going forward;
 - PG&E must provide local governments with direct communication from its Wildfire Safety Operations Center;
 - PG&E must coordinate closely with local governments in order to improve its emergency preparedness and outreach, and develop a successful wildfire mitigation program; and
 - Future PG&E WMPs must provide robust analysis of how its past Fire Prevention Plans or past experience under the FPPs informed the current WMP.
- On February 6, 2020, the utilities submitted their 2020 WMPs.
 - The local government coalition submitted comments on April 7, 2020.

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. Sonoma County obtained party status on August 19, 2019, and participated fully in the settlement negotiation process, which was the primary focus of the proceeding. While Sonoma County ultimately did not join the settlement agreement, the operational improvements the County negotiated with PG&E remained in the settlement and were adopted by the CPUC.

The CPUC adopted the 2017/2018 wildfire settlement on May 7, 2020, with modifications that increased the total penalty for shareholder-funded financial obligations, and included \$50 million in shareholder funding for an extensive portfolio of remediation measures and operational improvements. As part of the operational improvements, PG&E agreed to provide month-ahead reports of planned vegetation management activity and system hardening work in each county to local governments to assist with better awareness and coordination of wildfire preparedness. Sonoma County received training in October 2020 to access these reports.

Rulemaking 17-05-010 - Rule 20 Undergrounding of Electric Lines

The CPUC opened Rulemaking 17-05-010 in May 2017 to examine ways in which to revamp or optimize the longstanding Rule 20 undergrounding program. Sonoma County joined the proceeding in early 2019 and filed comments on the new Scoping Ruling that asked for input on ways to improve credit allocations, criteria for eligibility, and whether fire risk should be included in the undergrounding program analysis:

- <http://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M258/K310/258310682.PDF>
- The CPUC held a two-day workshop on the current program and potential revisions to the rules in April 2019.

- Johannes Hoevertsz, Sonoma County’s Director of the Department of Transportation and Public Works, was invited by the CPUC to participate in two of the workshop panels. Mr. Hoevertsz participated in both panels.
- On February 13, 2020, the CPUC issued a Staff Proposal for improving the Rule 20 undergrounding program:
<http://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M327/K199/327199859.PDF>
- Sonoma County submitted comments on the Staff Proposal on March 31, 2020
<http://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M334/K554/334554802.PDF>
- On October 27, 2020, Sonoma County submitted brief reply comments on the Administrative Law Judge’s September 1, 2020 ruling asking for additional input on the impacts of the pandemic on the undergrounding program and on the CPUC’s revised sunset proposal for the program: <https://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M349/K706/349706957.PDF>

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. Because of the CPUC’s work in the de-energization rulemaking and the Wildfire Mitigation Plan proceeding, the local government coalition did not see a need to address issues related to wildfires or PSPS in the General Rate Case; the coalition monitored the proceeding for any developments relevant to its members’ interests.

Rulemaking 19-01-006 (Financial Stress Test)

This proceeding was 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.”

On February 11, 2019, Sonoma County filed comments on the issues raised in the initial rulemaking: <https://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M266/K859/266859045.PDF>.

The CPUC adopted the “stress test” framework in July 2019. The framework includes provisions for ratepayer protections, including offering an equity upside to customers.