



# SAFETY AND ENFORCEMENT DIVISION MONTHLY PERFORMANCE REPORT

September 2023



California Public  
Utilities Commission

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This Report reflects Safety and Enforcement Division’s monthly work product. It has not been approved by the Commission rather it is information provided by the Division.

## INTRODUCTION

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The CPUC's Safety and Enforcement Division (SED) oversees the safety of electric and communication facilities, natural gas infrastructure and propane facilities. SED is comprised of three branches of utility engineers, analysts and investigators that focus on ensuring the safety of utility infrastructure and reducing utility caused wildfires. SED advocates for public safety through performing safety audits, conducting incident investigations, and appearing in CPUC safety proceedings. SED has the authority to issue citations with penalties against utility operators who violate public utility safety codes and requirements.

## GAS SAFETY AND RELIABILITY BRANCH (GSRB)

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The Gas Safety and Reliability Branch (GSRB) ensures that intra-state natural gas and liquid petroleum gas (LPG) pipeline systems are designed, constructed, operated, and maintained according to safety standards set by the CPUC and the federal government. CPUC gas safety engineers are trained and qualified by the federal government. The CPUC enforces natural gas and LPG safety regulations; inspects construction, operation, and maintenance activities; and makes necessary amendments to regulations. Its mission is to protect and promote the safety of the public and utility employees that work on the gas pipeline systems. September 2023 activities included:

- A. Submitted Triennial Grant Review response to Pipeline and Hazardous Materials Safety Administration (PHMSA)
- B. Submitted PHMSA CY2024 Base Grant Application
- C. Met with PG&E regarding Field Visit Protocols
- D. GSRB Branch Meeting
- E. Underground Safety Board (USB) Workshop
- F. California Pipeline Emergency Responders Initiative (Cal PERI) Program Meeting
- G. National Association of Pipeline Safety Representatives (NAPSR) National Meeting

SED has the authority to issue citations with penalties for operator violations of public utility safety codes and requirements<sup>1</sup>. The citation process allows the CPUC to act expediently in matters where violations of state and federal rules are clear and unambiguous. Citations may arise out of an ongoing investigation into related matters when a violation is brought to the CPUC's attention directly. Previous citations can be found on the CPUC's website [here](#). There are currently no outstanding gas safety citations.

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<sup>1</sup> In December 2011, the CPUC created a citation process authorizing staff to impose fines for natural gas violations.

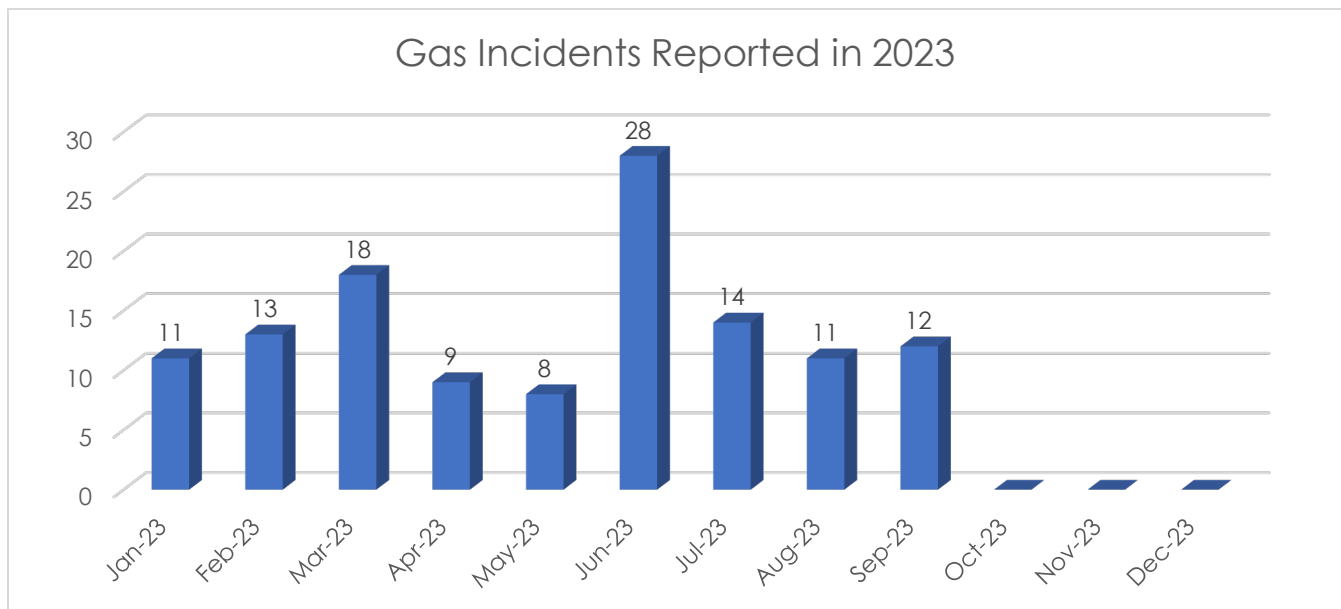
## Natural Gas Inspections (Year to Date)

The purpose of GSRB’s inspections is to confirm that operators continue to construct, operate, and maintain their pipeline facilities in a manner that ensures the safety of workers and the public. In addition to routine inspections, GSRB also conducts on-site construction inspections. Typically, each inspection consists of a records review of an operator’s past compliance activities, and field verifications. Results are documented in a final report and sent to the operator after the inspection. The expectation is to have a final report sent to the operator within 60 days of the inspection. GSRB will submit an Inspection Closure Letter to the operator within 120 days from the day the inspection is completed. The table below shows GSRB’s inspection activity year-to-date in 2023.

Inspections		Year to date, through September 2023
Conducted		48
Final Report Completed		33

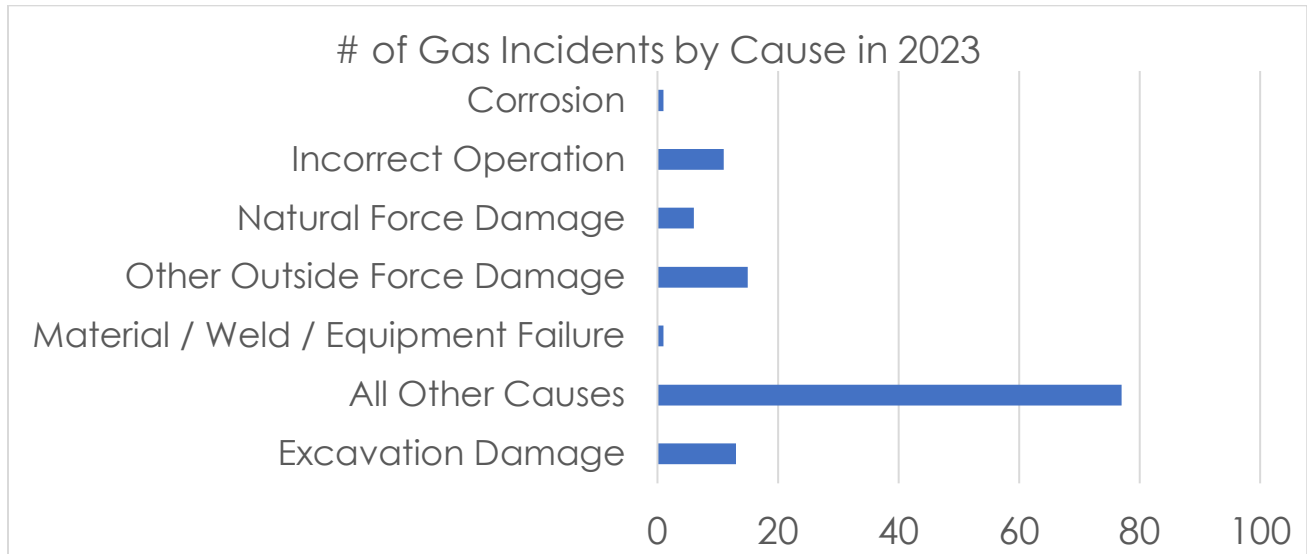
## Natural Gas Incident Reports and Investigations in September 2023

As of September 30, 2023, GSRB Staff received reports of 124 incidents. All reported incidents are assigned to GSRB engineers to investigate and prepare a final report. The report indicates if there were any violations of GO 112-F by the operators. Operators report incidents based on criteria outlined in GO 112-F





The bar chart below shows the 124 incidents by cause as of September 2023.



The table below shows the 124 incidents by incident level and status.

Status	Level 1	Level 2	Level 3	Level 4	TOTAL
Open	10	12	9	1	32
Closed	78	8	6	0	92
TOTAL	88	20	15	1	124

The table below describes the four incident levels and provides the timeframes/guidelines for incident reports to be completed and closed from the date of assignment of an investigation.

Levels	Definition of Incident Levels	Guidelines
1	Did not result in injury, fatality, fire or explosion; may be due to an unrelated event outside of the Operator's control.	60 days
2	Did not result in injury, fatality, fire or explosion; may or may not have caused a release of gas, have been reported due to Operator judgment.	120 days
3	Resulted in a release of gas but did not result in injury, fatality, fire or explosion.	150 days
4	Resulted in injury, fatality, fire or explosion caused by release of natural gas from the Operator's facilities.	≥ 180 days

## Natural Gas Utility Self-Identified Violation (SIV) Investigations

There were no Self-Identified Violations reported to GSRB in September 2023.

## Customer Safety Complaints

GSRB received and investigated two (2) new customer complaints in September.

The two (2) complaints are being investigated and listed as follows: a customer concern regarding an MHP's gas leak and odor history, and a whistleblower complaint regarding an IOU's staffing levels and safety culture.

## Inspection Notices / Notice of Probable Violation Letters (NOPV)

SED may issue an NOPV based on an investigation, customer complaint, or inspection for a violation of an applicable law or regulation. In September, GSRB issued 2 inspection notices and 1 NOPV letter.

- September 18 – Southwest Gas Q2 Non-DOT incident letter – 2 probable violations found.
- September 26 – Lodi Gas Storage Damage Prevention Program inspection letter – 0 probable violations found.
- September 29 – SoCalGas Honor Rancho Natural Gas Storage Field inspection letter – 0 probable violations found.

## Natural Gas Safety and Reliability Proceedings

**Aliso Canyon Investigation (I.19-06-016) (Commissioner Rechtschaffen /ALJs Hecht / Poirier) (SED Advocacy):** On October 28, 2022, SED, Southern California Gas Company (SoCalGas) and the Public Advocates Office (Cal Advocates) filed a joint motion for adoption of a comprehensive settlement agreement of this Order Instituting Investigation/Order to Show Cause. In response, several parties filed comments. On August 10, 2023, the Assigned ALJs issued a Presiding Officers Decision (POD) approving the settlement agreement and the Settling Parties indicate the Settlement Agreement is a comprehensive and global settlement of this proceeding. The Settling Parties estimate the total value of the Settlement Agreement to be approximately \$600 million in penalties, rebates, and amounts that SoCalGas agrees it will not attempt to recover in this or future proceedings.

The main provisions of the Settlement Agreement include: (1) SoCalGas's admission to a violation of Section 451 for the Aliso Canyon Incident, (2) a monetary fine and (3) other monetary remedies, including fines, disallowances, and refunds. The main provisions:

- Admission of one violation of the safety requirements of Section 451 based on the totality of the circumstances of the incident, for the purposes of the settlement only.

- A monetary fine of \$105.1 million, offset by \$34.1 million of costs incurred by SoCalGas in mitigating the greenhouse gases emitted by the leak. The remaining \$71 million goes into Aliso Canyon Recovery Account pursuant to Section 2104.7.
- SoCalGas will not seek rate recovery of the following incident-related expenses tracked by SoCalGas and reported pursuant to direction of the CPUC:
  - \$108.8 million in costs related to the Blade Report (closing the Aliso Canyon Memorandum Account (ACIMA)).
  - \$362,051,835 in outside counsel, litigation costs, and regulatory costs (this provision appears to refer to legal expenses for Aliso Canyon-related court and regulatory cases).

On September 12, 2023, the Settlement Agreement, attached to Decision 23-09-002 as Appendix A ([PDF](#)), was approved and adopted by the Commission without modification. The Decision closed this proceeding.

**Mobile Home Parks (MHP) Utility Conversion Program (D.20-04-004) (Commissioner Rechtschaffen /ALJ Hecht) (SED Advocacy):** On April 24, 2020, the Commission issued Decision 20-04-004 which established the Mobile Home Park Utility Conversion Program (MHP-UCP) which authorizes IOUs to install new gas and electric utility systems in mobile home parks to replace master-metered utility systems. The program goal is to convert 50% of all mobile home spaces by the end of 2030 according to a risk-based priority ranking system developed by GSRB. GSRB received forms of intent from 986 mobile home communities before the deadline on March 31, 2021. SED created a risk-prioritization list which included new applicants, and parks still on the Pilot list from 2015, and ranked them according to their utility system’s risk of failure. SED has delivered the priority list to all participating investor-owned utilities, and the utilities are currently working with MHP Owners to plan and execute conversion projects. There are currently 586 “Category 1” parks, which have a total of 37,890 spaces. SED estimates the utilities will start the conversion process with these Category 1 Parks sometime before the second priority list is produced in July 2025.

In February 2023, the utility companies filed their required MHP-UCP Annual Reports, which track (among other things) the numbers of MHP spaces converted to direct service for gas and electric, both to the meter (ITM) and beyond the meter (BTM), and the cost of those conversions. The utilities reported installing new electric services to 4,105 spaces and new gas services to 4,895 spaces in 2022 under this program. The utilities reported spending \$179.4 million on these construction projects.

Since the beginning of the MHP Utility Conversion Pilot Program in 2015, the utilities have reported installing new electric services to 36,514 spaces and installing new gas services to 41,475 spaces. The utilities have reported spent \$1.24 billion on construction projects and management of this program.

The full reports can be found on the MHP-UCP webpage: <https://www.cpuc.ca.gov/regulatory-services/safety/mhp/mobilehome-park-utility-upgrade-program>

In accordance with Ordering Paragraph #4 of D.20-04-004, SED is required to post a list of the MHPs that were re-prioritized in the prior year due to extenuating circumstances by April 1. Extenuating circumstances allowing for adjustment of prioritization lists include wildfire (or other large-scale fire incident), earthquake, destructive flooding, other natural disasters, public unrest or riot, and catastrophic damage from foreign objects

(such as aircraft crash or train derailment). Four MHPs were reprioritized in 2022, and SED has posted the list of parks, and the reason for re-prioritization, on the MHP-UCP webpage, under the heading “List of Reprioritized Parks.”

**PG&E Locate and Mark Practices OII (I.18-12-007) (Commissioner Rechtschaffen/ALJ Allen) (SED Advocacy):** On February 20, 2020, the Commission issued Decision 20-02-036 which closed this Investigation but via the Settlement between Pacific Gas & Electric Company (PG&E), the Commission’s Safety and Enforcement Division (SED), and the Coalition of California Utility Employees (CUE), the Commission ordered several shareholder-funded gas and electric System Enhancement Initiatives (SEI).

On August 21, 2020, SED selected Conger & Elsea as the consultant for the Compliance and Ethics Corrective Action Program Audit. On October 15, 2020, SED selected One Call Concepts as the consultant to lead the Locate and Mark Compliance Audit. On October 15, 2020, SED selected ICQ Professionals, LLC, as the consultant to lead the Locate and Mark (L&M) Field Audit. On November 17, 2020, PG&E submitted its proposed methodologies for SED review and approval. On January 12, 2021, SED responded to PG&E’s proposed methodologies review request.

On February 4, 2021, PG&E informed SED about a request from ICQ Professionals, LLC, to solicit input from another external party (Exponent) to further develop its sampling methodology. SED responded on February 4, 2021. PG&E submitted its first Locate and Mark Annual Report in accordance with Decision (D.) 20-02-036 on April 26, 2021.

On June 4, 2021, ICQ Professionals, LLC submitted their methodology and SED approved this proposed methodology on July 13, 2021. ICQ Professionals, LLC has performed a pilot Locate and Mark Field Audit and implemented some improvements to the program that are described in a letter submitted to SED on August 25, 2021. On September 16, 2021, ICQ Professionals, LLC provided SED with the format of the Semi-Annual Report for the compliance audit using field reviews of a random sampling of gas and electric Locate and Mark tickets. On October 15, 2021, PG&E shared with SED its Enhanced Review of Cultural Survey Results, and Conger & Elsea also provided their audit reports to SED and PG&E.

On December 20, 2021, PG&E met with SED to inform it of the status of the Locate and Mark OII Settlement implementation plan. On January 13, 2022, PG&E provided its response to the reports issued by the Conger & Elsea on the results of their review of PG&E’s Corrective Action Program (CAP) and Compliance and Ethics Helpline Program. According to its response, PG&E plans to implement all nine CAP-related recommendations by 2023 and all Helpline-related recommendations. On January 19, 2022, ICQ Professionals, LLC notified SED that they have implemented some additional improvements to the program. On February 17, 2022, ICQ Professionals, LLC submitted the Semi-Annual Report. On April 25, 2022, PG&E submitted its Locate and Mark Annual Report. The reporting period for this Annual Locate and Mark Report is from January 1 to December 31, 2021.



On June 30, 2022, PG&E provided an update to SED on the timing of PG&E's planned completion of the Helpline-related recommendations. On August 24, 2022, ICQ Professionals, LLC submitted the Semi-Annual Report.

On September 30, 2022, PG&E provided an update to its June 30, 2022 letter regarding timing of the implementation of the Ethics and Compliance Helpline-related recommendations issued by Conger & Elsea.

On April 24, 2023, PG&E submitted its Locate and Mark Annual Report. The reporting period for this Annual Locate and Mark Report is from January 1 to December 31, 2022.

On June 28, 2023, ICQ Professionals, LLC submitted its Locate and Mark Field Audit Status Report.

On June 30, 2023, PG&E provided an update to its December 30, 2022 response to the report issued by Conger & Elsea, on the results of their review of PG&E's Ethics and Compliance Helpline Program.

On September 24, 2023, ICQ Professionals, LLC submitted the Semi-Annual Report.

## **ELECTRIC SAFETY AND RELIABILITY BRANCH (ESRB)**

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The mission of ESRB is to enforce state statutes and regulations regarding the safety and reliability of electric facilities, communication facilities, and power plants that are within the jurisdiction of this Commission in California, to ensure that the facilities are operated and maintained in a safe and reliable manner to protect and promote the public health and safety, and to facilitate an environment inside and outside of the Commission that increases the safety and reliability of these facilities. September 2023 activities are below and include:

- Conducted 7 Electric Distribution audits, 2 Communication Infrastructure Provider (CIP) audits, 2 Substation audits, 2 Transmission audits and 1 Power Plant audit.
- Issued 2 Electric Distribution audit reports, 3 CIP audit reports, and 1 Power Plant audit report.
- ESRB reviews daily outage reports from power plants. Outages could be forced or planned. ESRB reviews the status and cause of each outage, may issue data requests related to the status and cause of each outage, and will follow up with power plants regarding the outage as necessary. In September 2023, ESRB monitored the status of 12 planned outages and 92 forced outages reported by natural gas and renewable energy power plants.

### **Electric Facilities Citations**

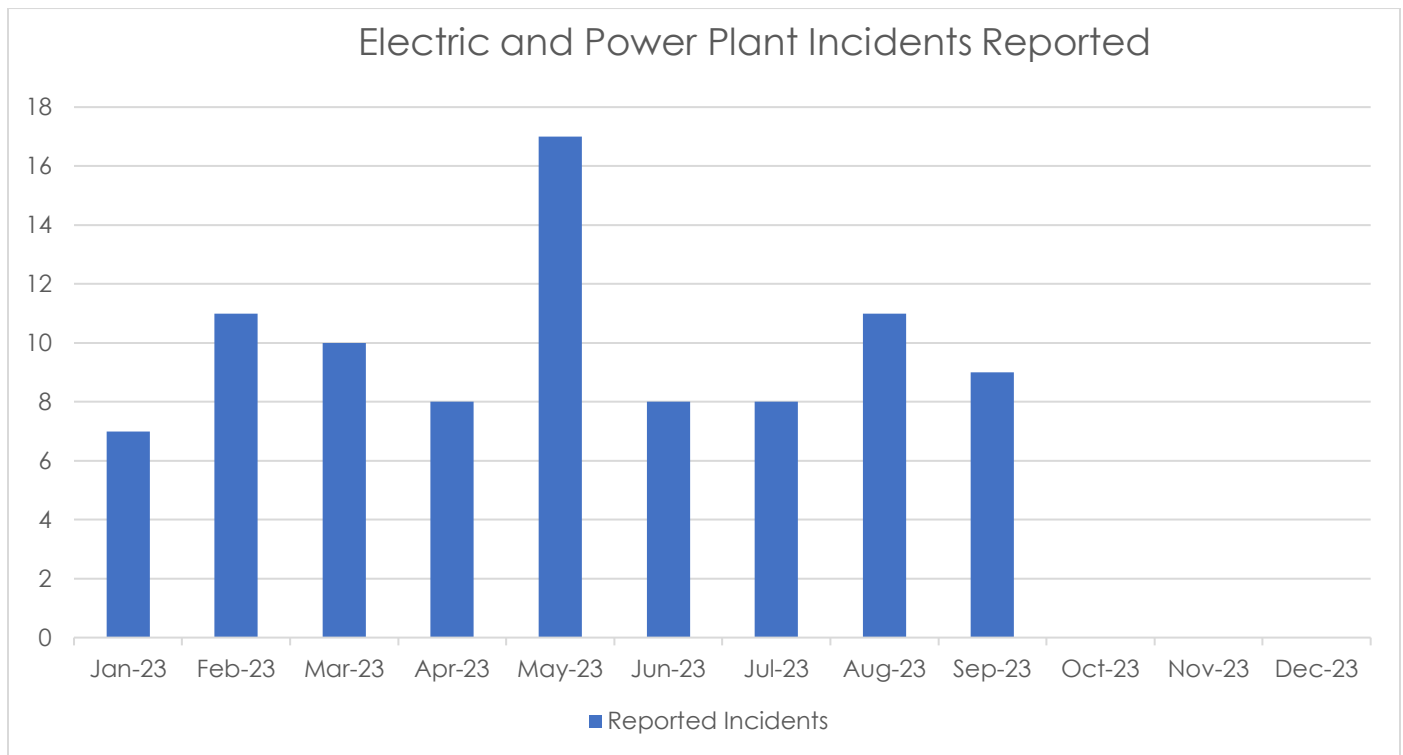
SED has the authority to issue citations with penalties for electric utilities and Communication Infrastructure Providers (CIPs) for violating Commission General Orders (GO) and Public Utility Code (PU Code) rules. Citations may arise from violations discovered during incident investigations, audits, customer complaint investigations, whistleblower investigations, or other safety matters that are brought to the attention of SED.

The table below shows the status of citations issued by SED in 2022. SED has not yet issued a citation in 2023. All SED citations related to electric and communication facilities can be found on the Commission's website [here](#).

Citation Number	Utility	Amount	Violations	Date Cited	Description	Status
D.16-09-055 E.21-10-001	PG&E	\$100,000	General Order (GO) 95, Rule 38, Minimum Clearances of Wires from Other Wires	10/21/2022	Failing to maintain minimum clearance between conductors on the same crossarm.	Paid on November 18, 2022.
D.16-09-055 E.22-11-001	SCE	\$1,020,000	General Order (GO) 95, Rule 31.1, Design, Construction and Maintenance	11/15/2022	Failing to install and maintain its 66 kV conductor and insulator adequately and safely.	Paid in December 2022.
D.16-09-055 E.22-12-001	SCE	\$4,500,000	Three violations of General Order (GO) 95, Rule 31.1, Design, Construction and Maintenance	12/16/2022	Failing to follow its Contractor Safety Management Standard (CSMS) which may have resulted in a fatal injury.	Appealed/ Pending.

### Electric and Power Plant Incidents Reported in September 2023

ESRB received 7 electric incident reports and 2 power plant incident reports in September 2023.



## Electric Facilities and Power Plant/Generation Incident Investigations

Incident status		Level 1	Level 2	Level 3	Level 4	Total <sup>2</sup>
Total open incidents	Electric Facilities	6	14	72	63	155
	Generation	2	0	3	0	5
Total incidents reported in 2023	Electric Facilities	4	4	48	29	85
	Generation	2	1	2	0	4
Total incidents closed in 2023	Electric Facilities	1	10	40	19	70
	Generation	1	1	1	0	3
Total open 2023 incidents	Electric Facilities	4	4	41	23	72
	Generation	2	0	2	0	4
Incidents reported in August 2023	Electric Facilities	1	0	4	2	7
	Generation	1	0	1	0	2
Incidents closed in August 2023	Electric Facilities	0	0	3	1	4
	Generation	0	0	0	0	0

The table above shows information about ESRB incident investigations as of September 30, 2023, and incidents reported and closed in September 2023. The level designation indicates increasing severity, with Level 4 as the most severe. See footnote 2 for definitions of each level. The guidelines to close incident reports are similar to those GSRB follows (see Guidelines table in the GSRB section).

## Customer Safety Complaints

ESRB investigated 29 electric and communication safety and reliability customer complaints in September 2023.

## Notice of Violation Letters

ESRB issued 1 Notice of Violation (NOV) letter in September 2023. ESRB may issue an NOV in response to an investigation or customer complaint for a violation of an applicable law or regulation.

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<sup>2</sup> Level 1: A safety incident that does not meet Level 2, 3, or 4 criteria. Level 2: Incident involved a power interruption not due solely to outside forces (Level 2 for Generation: Incident that occurred during an Electric Alert, Warning or Emergency. Level 3: Incident involved damage estimated to exceed \$50,000 and caused, at least in part, by the utility or its facilities (Level 3 for Generation: Incident resulted in a significant outage that was due, at least in part, to plant equipment and/or operations). Level 4: Incident resulted in a fatality or injury requiring hospitalization and that was caused, at least in part, by the utility or its facilities or by equipment and/or operations (for Power Plants).

## Electric Safety and Reliability: Proceedings

**PG&E Locate and Mark Practices OII (I.18-12-007) (Commissioner Rechtschaffen/ALJ Allen) (SED Advocacy):** The Commission issued D. 20-02-036 which closed this Investigation but via the Settlement between Pacific Gas & Electric Company (PG&E), the Commission’s Safety and Enforcement Division (SED) and the Coalition of California Utility Employees (CUE), the Commission approved several shareholder-funded gas and electric System Enhancement Initiatives but with a longer compliance audit period of four years and a \$110 million total penalty.

In November 2020, ESRB staff reviewed PG&E’s One Call Concepts Timely Ticket Review Methodology and PG&E’s Field Review Methodology and provided comments to GSRB for consideration. On June 4, 2021, ICQ Professionals, LLC, submitted “Proposed Objectives, Methodology and Final Report Description for SED Consultation of Field Audits for Locate and Mark OII I.18-12-007 Settlement”. This submittal starts the process of consulting with the CPUC/SED on the objectives, methodology, and the final product description of the Field Audit of PG&E’s Locate and Mark Program by ICQ Professionals, LLC. The primary focus is to provide the sampling methodology that will be used to conduct this audit. In September, ESRB reviewed ICQ Professionals, LLC’s field audit report.

In January 2022, ICQ Professionals, LLC, revised and improved its field audit methodology for PG&E’s Locate and Mark Program. No significant updates in September 2023. Pending.

**SCE Appeal of Twentynine Palms Citation (K.18-03-008) (ALJ Kim) (SED Advocacy):** ESRB investigated an incident that occurred on August 1, 2015, in Twentynine Palms. On February 12, 2018, SED issued a \$300,000 citation to Southern California Edison (SCE) for violations related to the incident. SCE appealed the citation on March 14, 2018. On October 3, 2018, SED issued an \$8,000,000 amended citation that replaced the \$300,000 citation. The amended citation was the result of new violations. Hearings were held in December 2018, February 2019, and March 2019. Briefs and reply briefs were filed in April 2019.

On February 24, 2023, the ALJ issued a Draft Resolution dismissing the citation. SED filed comments on the Draft Resolution to identify what SED believes to be errors in the Draft Resolution. Pending.

**SCE Appeal of the Kramer Citation (K.23-01-011) (ALJ Kelly) (SED Advocacy):** ESRB investigated an incident that occurred on January 18, 2018, at the Kramer Junction in San Bernardino County. The incident resulted in the fatality of an employee of SCE’s contractor. On December 16, 2022, SED issued a \$4,500,000 citation to SCE for violations related to the incident. In January 2023, SCE appealed the citation. On June 30, 2023, the ALJ issued a Ruling that set dates for evidentiary hearings. Pending.

**Creation of a Shared Database or Statewide Census of Utility Poles and Conduit (I.17-06-027); Communications Provider Access to Poles (R.17-06-028) (Commissioner Batjer/ALJ Mason) (SED Advocacy):** In 2017, the Commission opened a proceeding to address the feasibility of establishing a data management platform for pole owners and tenants to access pole data, attachment and conduit data. This investigation is being conducted in three tracks. In the current phase of the proceeding, parties addressed requirements for pole attachments via comments and are awaiting a proposed decision. On December 15, 2020, the Assigned Commissioner’s Office issued a Second Amended Scoping Memo and Ruling that outlined next steps in the consolidated Pole OII/OIR proceeding. On March 9, 2021, the ALJ issued a Ruling that requested parties to file comments by April 12, 2021, on a One-Touch-Make-Ready (OTMR) proposal.

On June 15, 2022, the Commission issued an Amended Scoping Memo and Ruling to address Track 3 issues, which relate to conduit data. Such issues will be identified by a subsequent ruling from either the Assigned Commissioner or the assigned Administrative Law Judge. The Ruling also set a procedural schedule for the One-Touch-Make-Ready Decision, the Conduit Data Ruling, and the Conduit Data Decision.

On September 16, 2022, the Commission issued a Proposed Decision that adopts CPUC staff’s One Touch Make Ready (OTMR) requirements. OTMR is an expedited process for attachment of communication facilities that require “simple make-ready” work. On October 27, 2022, the Commission issued Decision 22-10-025 which adopts, with modifications, the One-Touch Make-Ready Staff Proposal amendments to the Right-of-Way Rules.

In July 2023, multiple parties submitted Requests For Extension to comply with Ordering Paragraph 8 of D.21-10-019, the Track 2 Decision Adding Attachment Data To Pole Owner Databases Ordered in Decision 20-07-004. Ordering Paragraph 8 requires pole attachers to “provid[e] the information required by Phase 1 Data Points 1-5 and 18-20 in Attachment A for existing and new pole attachments within 12 months from the date the Tier 2 Advice Letters of the five major pole owners in California ... were approved.”

On August 16, 2023, the ALJ issued a Ruling requesting further information from all the parties that submitted Requests For Extension Of Time To Comply With Decision 21-10-019. Subject parties submitted the requested information on August 22, 2023. Pending.

## Other ESRB Activities

**Progress Update for the ongoing Administrative Consent Order (ACO) agreement between SED and SCE for the 2017-2018 Southern California Wildfires:** The Administrative Consent Order (ACO) between SED and Southern California Edison (SCE) regarding the 2017-2018 Southern California Wildfires was approved by the Commission in December 2021. The ACO required that SCE pay the cost of fines, safety measures and disallowances totaling \$550 million. Of that amount, SED and SCE discussed SCE's strategies and priorities for deploying the \$65 million in shareholder funds that were allocated specifically for safety measures.

On January 19, 2023, discussions continued to establish progress reporting criteria and timelines, and to prepare for spending the initial funds on activities in the first quarter of 2023. In addition to technical studies, data analysis, and proceeding support actions, SCE proposed that some of the funding be used for activities related



to secondary firebreak protection and community protection in the form of subsidies to governmental and non-governmental entities to purchase and operate transit vans during local emergencies. SED has been meeting with SCE monthly to discuss SCE's progress with the implementation of the safety measures. No significant updates in September 2023.

**Compliance with Decision 20-05-019 regarding PG&E's 2017 and 2018 Wildfires (I.19-06-015):** On May 8, 2020, Decision (D.) 20-05-019 was issued approving a Settlement Agreement, with modifications, between SED, PG&E, Coalition of California Utility Employees (CUE), and the Office of Safety Advocates (OSA). On December 4, 2020, a Final Decision (D.20-12-015) was issued modifying D. 20-05-019 and denying rehearing of D. 20-05-019. The Decision imposes penalties on PG&E totaling \$2.137 billion consisting of \$1.823 billion in disallowances for wildfire-related expenditures, \$114 million in shareholder-funded System Enhancement Initiatives, and a \$200 million fine payable to the General Fund (the fine to be suspended). ESRB is monitoring PG&E's work to ensure compliance with the Settlement Agreement and D. 20-05-019. On February 12, 2021, and consistent with D. 20-05-019, PG&E filed its first semi-annual report which provided updates and an overview of PG&E's progress on each of the 20 corrective actions in the Settlement Agreement.

The Settlement Agreement requires PG&E to implement Safety Enhancement Initiatives (SEI). PG&E hired contractor David Mason + Associates (DMA) to conduct the independent audits under the SEI #14 which addresses Wildfire Safety audits.

SEI #14: Independent Wildfire Safety audits requires PG&E to retain a Safety Evaluator(s), defined as an independent consultant(s), who will review PG&E's policies, procedures, practices and financial data concerning (a) PG&E's Tree Tracker Application, (b) Overhead Distribution and Transmission Preventative Maintenance Program, (c) Local Conditions Study of PG&E's territory and (d) Evidence Collection and Retention.

On August 2, 2023, DMA reviewed PG&E's Vegetation Management procedures, General Order 95, and Public Resources Code. DMA is also reviewing One VM App which runs on vendor-supplied mobile devices and utilizes the Lemur mobile app for data collection. Lemur is geospatial in nature allowing both Inspection and Tree Crews to physically see on a map where the work is occurring and takes away the need to carry paperwork requests or log inspections via paper map procedures. The One VM App provides a map-centric interface to direct users to work locations while adding scheduling and dispatch features to plan and execute field work. Monthly meetings between DMA, PG&E, and SED began in September 2023.

DMA is continually reviewing the One VM App and is currently reviewing PG&E's VM inspection and tree work orders to select locations for field inspections.

**Transmission Maintenance Coordination Committee (TMCC):** TMCC is an advisory committee to help the California Independent System Operator (CAISO) develop, review, and revise Transmission Maintenance Standards. TMCC holds quarterly meetings to discuss recent improvements in construction and maintenance

processes and techniques, and industry best practices. ESRB is a member of TMCC and attends meetings. No meetings were held in September 2023.

## WILDFIRE SAFETY AND ENFORCEMENT BRANCH (WSEB)

WSEB is dedicated to the enforcement of public utility wildfire safety and Public Safety Power Shutoff (PSPS) violations. WSEB is the lead investigator for utility incidents relating to wildfire, PSPS events and other aspects related to wildfire events. The staff conducts incident investigations and provides input into policy development.

September 2023 activities for WSEB include:

- Currently investigating thirteen (13) utility-related wildfires.
- Completed amended reports for Rey Fire (2016) and Creek Fire (2017) Investigations.
- Two (2) PSPS events in September 2023: PG&E on September 20 and September 30, 2023.
- Participated in PG&E’s 3<sup>rd</sup> Quarter PSPS Regional Working Groups, September 13-15, 2023.
- Participated in SDG&E’s 3<sup>rd</sup> Quarter PSPS Regional Working Group, September 20, 2023.

### PSPS Activations, De-energizations & Post Event Reports in September 2023

PSPS Activities	PG&E	SCE	SDG&E	Bear Valley Electric	PacifiCorp	Liberty Utilities
Total PSPS Activations	2	0	0	0	0	0
Total PSPS w/ De-energizations	1	0	0	0	0	0
Total PSPS Post Event Reports Reviewed	0	0	0	0	0	0

## PSPS-Related Proceedings and Events

**Rulemaking to Examine Electric Utility De-Energization of Power Lines in Dangerous Conditions (R.18-12-005) (President Reynolds /ALJ Kao/ALJ DeAngelis) (SED Advisory):** The Commission opened this Rulemaking to further examine policies and guidelines adopted in ESRB-8 regarding communication, notification, mitigation and other logistic and implementation issues of a PSPS event.

On July 12, 2022, Pioneer Community Energy, Sonoma Clean Power Authority, East Bay Community Energy, Marin Clean Energy, and Rural County Representatives of California (collectively, the “Joint Parties”) filed a motion requesting the Commission open an expedited track of the Public Safety Power Shutoff (PSPS) Rulemaking (R.) 18-12-005 to address issues associated with the investor-owned utilities’ (IOU) “fast trip” settings and to adopt rules to govern these settings. Pacific Gas and Electric Company (PG&E), Southern California Edison Company (SCE), and San Diego Gas & Electric Company (SDG&E) filed responses opposing the motion. The California Energy Storage Alliance, Joint Local Governments, and Center for Accessible Technology filed comments in support of the motion.

In July 2022, Safety and Enforcement Division staff met with representatives from the Joint Parties to listen to their concerns and their recommendations. The Joint Parties’ Motion is pending Commission action.

On February 23, 2023, President Reynolds issued a Ruling pertaining the July 12, 2022, Joint Parties’ Motion. The Ruling responded to the Motion and directed CPUC staff to hold a public workshop outside the instant De-Energization Rulemaking to identify the appropriate range of issues and questions that may help the Commission form a proposed scope and actions on the emerging challenges associated with reliability, including consideration of rules for governing the electric IOUs’ fast trip programs. The workshop was held on March 17, 2023, and included presentations from each of the large electric IOUs. The workshop also included a presentation from the parties who filed the Joint Parties’ Motion.

On September 21, 2023, the Commission approved a new citation program for PSPS. This authorization expands the CPUC’s already existing PSPS enforcement capabilities, which include Orders Instituting Investigation, Orders to Show Cause, and Administrative Enforcement Orders. This new citation program establishes a tool that CPUC staff may use when appropriate to swiftly cite utilities for lack of compliance with PSPS guidelines. The PSPS citation program covers violations in the areas of reporting, notifications, community resource centers, and the IOUs’ PSPS websites. It will help encourage complete and timely compliance with the PSPS guidelines and deter violations. Under the program, each citation, which might constitute multiple offenses, may not exceed \$8 million.

## Enhanced Powerline Safety Settings

PG&E, SCE, and SDG&E have adjusted “fast trip” settings, also known as Enhanced Powerline Safety Settings (EPSS), on their equipment as a wildfire mitigation measure. The utilities have stated that the altered settings

reduce wildfire risk, but these settings have resulted in unplanned outages for which advance notification is not possible. Formal guidance has been limited from the Commission regarding “fast trip” settings.

While there is no existing requirement for each of the IOUs to report on Protective Equipment Device Settings (PEDS) outages specifically and separately, President Marybel Batjer’s October 25, 2021 letter to PG&E imposed reporting requirements for PG&E to report its Enhanced Powerline Safety Settings (EPSS) program performance.

PG&E’s reports and more information on PG&E’s Enhanced Powerline Safety Settings can be found [here](#).

## **Monitoring the Whistleblower Website and Safety Hotline**

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The Commission regulates privately-owned utilities. It serves the public interest by protecting consumers and ensuring that utility services and infrastructure are safe, reliable, and available at reasonable rates. It is charged with ensuring that these regulated service providers comply with the regulations. Whistleblower complaints can result in investigations that may involve safety and other issues. In September 2023, one (1) whistleblower submission was sent online to SED.

SED received four (4) inquiries from the Safety Hotline inbox.