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Decision 17-12-024 December 14, 2017

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Develop and
Adopt Fire-Threat Maps and Fire-Safety
Regulations.

Rulemaking 15-05-006

**DECISION ADOPTING REGULATIONS TO ENHANCE
FIRE SAFETY IN THE HIGH FIRE-THREAT DISTRICT**

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DECISION ADOPTING REGULATIONS TO ENHANCE FIRE SAFETY IN THE HIGH FIRE-THREAT DISTRICT

Summary

This Decision adopts new regulations to enhance the fire safety of overhead electric power lines and communication lines located in high fire-threat areas. The most significant regulations adopted by this Decision are:

- A new High Fire-Threat District (“HFTD”) is added to General Order 95 (“GO 95”).¹ The HFTD consists of three areas:
 - **Zone 1** consists of Tier 1 High Hazard Zones (“HHZs”) on the map of Tree Mortality HHZs prepared jointly by the United States Forest Service and the California Department of Forestry and Fire Protection (“CAL FIRE”). Tier 1 HHZs are in direct proximity to communities, roads, and utility lines, and represent a direct threat to public safety.
 - **Tier 2** consists of areas on the California Public Utilities Commission’s Fire-Threat Map (“CPUC Fire-Threat Map”) where there is an elevated risk for destructive utility-associated wildfires. The CPUC Fire-Threat Map is currently in an advanced stage of development.
 - **Tier 3** consists of areas on the CPUC Fire-Threat Map where there is an extreme risk for destructive utility-associated wildfires.
- Amendments to GO 95, Rule 18, to require utilities to
 - (i) prioritize correction of safety hazards based, in part, on whether the safety hazard is located in the HFTD; (ii) correct within six months a Priority Level 2 fire risk that is located in

¹ The purpose of GO 95 is “to formulate, for the State of California, requirements for overhead line design, construction, and maintenance, the application of which will ensure adequate service and secure safety to persons engaged in the construction, maintenance, operation or use of overhead lines and to the public in general.” (GO 95, Rule 11.)

Tier 3 of the HFTD; and (iii) correct within 12 months a Priority Level 2 fire risk that is located in Tier 2 of the HFTD.

- Amendments to GO 95, Rule 35, Table 1, to require utilities to maintain the stricter Case 14 vegetation clearances in the HFTD.
- Amendments to GO 95, Rule 38, to increase the effective minimum clearance between wires for new and reconstructed facilities in Tier 3 of the HFTD.
- Amendments to GO 95, Rule 80.1-A, to require minimum patrol and detailed inspection cycles for overhead communication lines in Tier 2 and Tier 3 of the HFTD. Inspections must be conducted twice as often in Tier 3 compared to Tier 2.
- Amendments to GO 95, Rule 80.1-B, to require a minimum intrusive inspection cycle for overhead communication lines in Tier 3 of the HFTD.
- Amendments to GO 95, Appendix E, to increase the recommended time-of-trim clearances between power lines and vegetation in the HFTD.
- Amendments to GO 165, Table 1, to require annual patrol inspections of overhead electric utility distribution facilities in rural Tier 2 and Tier 3 areas of the HFTD.
- Amendments to GO 166, Standard 1, Part E, to require every electric investor-owned utility (“Electric IOU”) with overhead power lines in the HFTD to prepare a fire-prevention plan.
- Amendments to Electric Tariff Rule 11 to allow Electric IOUs to disconnect electric service to a customer in the HFTD when:
 - There is a breach of the minimum vegetation clearances required by California Public Resources Code §§ 4292 and 4293 for State Responsibility Areas.
 - The Electric IOU has obtained from an arborist a written determination that a dead, rotten, diseased, leaning, or overhanging tree (or parts thereof) poses an imminent or immediate risk for falling onto a power line.

The fire-safety regulations adopted by this Decision will help to protect public safety in accordance with Public Utilities Code Sections 451 and 8386(a).² It is likely that electric utilities and communications infrastructure providers will incur additional but unquantified costs to implement the fire-safety regulations adopted by this Decision. This Decision finds that the additional costs are exceeded by the substantial public-safety benefits of the adopted regulations.

Electric IOUs are authorized to track the costs they incur to implement the regulations adopted by this Decision and to file applications to recover these costs. Electric IOUs shall thereafter seek to recover such costs in their general rate case (GRC) proceedings. Small Incumbent Local Exchange Carriers may use their annual California High Cost Fund-A advice letters to request recovery of the costs they incur to implement the regulations adopted in this proceeding until their next GRC proceedings.

Finally, today's Decision instructs the Director of the Commission's Safety and Enforcement Division ("SED") or the Director's designee (together, "Director") to confer with CAL FIRE regarding the following matters:

- The development of a statewide fire-wind map, under the direction of CAL FIRE, to provide a scientifically sound basis for establishing fire-wind-load standards.
- Adoption of a six-month maximum timeframe for correcting Priority Level 2 fire risks in Tier 2 of the HFTD.

² Section 451 states that "[e]very public utility shall furnish and maintain such adequate, efficient, just, and reasonable service, instrumentalities, equipment, and facilities, including telephone facilities... as are necessary to promote the safety... of its patrons, employees, and the public." Section 8386(a) states that "[e]ach electrical corporation shall construct, maintain, and operate its electrical lines and equipment in a manner that will minimize the risk of catastrophic wildfire posed by those electrical lines and equipment."

CAL FIRE has agreed to confer with the Director regarding the above matters. After conferring with CAL FIRE, the Director shall submit a written report within six months to the Commission and the Commission's Executive Director that provides the Director's recommendations regarding whether and how to proceed with (1) the development and adoption of a statewide fire-wind map, (2) the development and adoption of fire-wind-load standards and possibly other fire-safety regulations tied to the fire-wind map, and (3) the adoption of a six-month timeframe for correcting Priority Level 2 fire risks in Tier 2 fire-threat areas. The Director shall concurrently post a copy of the report (or a link to the report) on SED's section of the Commission's website.

1. Background

This rulemaking proceeding is the successor to Rulemaking (R.) 08-11-005 ("R.08-11-005"). In R.08-11-005, the Commission adopted dozens of new fire-safety regulations in response to devastating Southern California wildfires in October 2007 that were reportedly ignited by power lines. These included the Grass Valley Fire (1,247 acres), the Malibu Canyon Fire (4,521 acres), the Rice Fire (9,472 acres), the Sedgewick Fire (710 acres), and the Witch Fire (197,990 acres). The total area burned by these five power-line fires exceeded 334 square miles.

Several of the fire-safety regulations adopted in R.08-11-005 apply only to areas where there is an elevated risk of power-line fires igniting and spreading rapidly (referred to herein as "high fire-threat areas"). These regulations include:

- A new General Order 95 (“GO 95”)³ rule that sets minimum frequencies for patrol inspections, detailed inspections, and intrusive inspections of aerial communication utility facilities in high fire-threat areas that are (i) attached to the same pole as electric utility facilities, or (ii) in close proximity to overhead electric utility facilities.
- A new GO 95 rule that expands vegetation clearances around power lines in high fire-threat areas of Southern California.
- A new GO 165 rule that increases the frequency of patrol inspections of overhead electric utility distribution facilities in rural high fire-threat areas of Southern California.⁴
- A new GO 166 rule that requires investor-owned electric utilities (“Electric IOUs”)⁵ in Southern California to prepare and submit plans to prevent power-line fires generally and during extreme fire weather. Electric IOUs in Northern California must assess if there is a credible threat of extreme fire-weather events in their service territories and, if so, to prepare and submit plans to prevent power-line fires from occurring during such events.

The Commission adopted several interim fire-threat maps in R.08-11-005 to designate areas where the previously identified fire-safety regulations apply. Each of the interim maps covers a different part of the State and uses its own method to identify high fire-threat areas. The Commission also commenced the

³ GO 95 contains rules for the design, construction, operation, and maintenance of overhead utility facilities such as power lines, communications lines, utility poles, and pole-mounted antennas.

⁴ GO 165 prescribes inspection cycles for electric utility distribution facilities.

⁵ GO 166 requires, among other things, that every electric utility subject to the Commission’s jurisdiction shall annually prepare and submit a plan that sets forth the utility’s anticipated responses to emergencies and major outages.

development of a single statewide fire-threat map to designate areas where (1) there is a heightened risk for destructive power-line fires, and (2) where stricter fire-safety regulations should apply.

The Commission instituted the instant rulemaking proceeding, R.15-05-006, to complete the work of R.08-11-005. The general scope of R.15-05-006 is to address the following matters carried over from R.08-11-005:

1. Develop and adopt a statewide fire-threat map that delineates the boundaries of a new High Fire-Threat District where the stronger fire-safety regulations adopted in R.08-11-005 will apply.
2. Determine the need for additional fire-safety regulations in the High Fire-Threat District in light of the statewide fire-threat map adopted pursuant to Item 1.
3. Consider proposals related to the “multiply by” provision in Rule 48 of GO 95, provided that such proposals are consistent with the primary purpose of R.15-05-006 of enhancing the fire safety of overhead utility facilities.
4. Revise GO 95 to include (a) a High Fire-Threat District, (b) maps of the High Fire-Threat District, and (c) any new fire-safety regulations developed pursuant to Items 1 - 3.

The scope and schedule for R.15-05-006 was divided into two parallel tracks. One track focused on the development and adoption of a statewide fire-threat map. The second track focused on the identification, evaluation, and adoption of fire-safety regulations. Each track is summarized below.

1.1. The Commission’s Fire-Threat Map

A multi-step process has been used to develop the statewide fire-threat map. The first step was to develop Fire Map 1 (“FM 1”), which depicts areas of California where there is an elevated hazard for the ignition and rapid spread of power-line fires due to strong winds, abundant dry vegetation, and other

environmental conditions. These are the environmental conditions associated with the catastrophic power-line fires that burned 334 square miles of Southern California in October 2007.

The Commission adopted FM 1 in Decision (“D.”) 16-05-036. FM 1 was developed by the California Department of Forestry and Fire Protection (“CAL FIRE”) in collaboration with the Commission’s Safety and Enforcement Division (“SED”) and the many parties in this proceeding.

The second step is to develop a statewide map of the new High Fire-Threat District where stricter fire-safety regulations apply. Importantly, the High Fire-Threat District Map will incorporate the fire hazards associated with historical power-line fires besides the October 2007 power-line wildfires in Southern California. These other power-line fires include the Butte Fire that burned 71,000 acres in Amador and Calaveras Counties in September 2015. The Commission adopted a work plan for the development of the High Fire-Threat District Map in D.17-01-009, as modified by D.17-06-024.

The High Fire-Threat District Map will be a combination of two maps. These are (1) the United States Forest Service (“USFS”) and CAL FIRE’s joint map of Tree Mortality High Hazard Zones (“HHZs”); and (2) the California Public Utilities Commission (“CPUC” or “Commission”) Fire-Threat Map. The USFS-CAL FIRE joint map of Tree Mortality HHZs is an off-the-shelf product. The CPUC Fire-Threat Map is currently in an advanced stage of development. It will be based on FM 1, several other fire-threat maps identified in D.17-01-009, and input from electric utilities and other stakeholders.

The primary responsibility for the development of the CPUC Fire-Threat Map lies with a small group of utility personnel and consultants, known as the Peer Development Panel (“PDP”), who have expertise in the development of

fire-threat maps. A separate group of independent experts, known as the Independent Review Team (“IRT”), is responsible for reviewing and approving the CPUC Fire-Threat Map developed by the PDP. CAL FIRE selected the members of the IRT and oversees the work of the IRT.

The High Fire-Threat District Map will have three fire-threat areas. **Zone 1** will consist of Tier 1 HHZs on the USFS-CAL FIRE joint map of Tree Mortality HHZs. Tier 1 HHZs are in direct proximity to communities, roads, and utility lines, and are a direct threat to public safety.

Tier 2 will consist of areas on the CPUC Fire-Threat Map where there is an elevated risk (including likelihood and potential impacts on people and property) from wildfires associated with overhead utility power lines or overhead utility power-line facilities also supporting communication facilities.

Tier 3 will consist of areas on the CPUC Fire-Threat Map where there is an extreme risk (including likelihood and potential impacts on people and property) from wildfires associated with overhead utility power lines or overhead utility power-line facilities also supporting communication facilities. Tier 3 is distinguished from Tier 2 by having the highest likelihood of utility-associated fire initiation and growth that would impact people or property, and where the most restrictive utility regulations are necessary to reduce utility fire risk.⁶

On July 31, 2017, the PDP served (but did not file) a draft statewide CPUC Fire-Threat Map that delineates the PDP’s proposed boundaries for Tier 2 and Tier 3 fire-threat areas. On October 2, 2017, the PDP filed and served the Initial

⁶ The High Fire-Threat District Map will consist of two independent maps. These are (i) Tier 1 HHZs on the USFS-CAL FIRE joint map of Tree Mortality HHZs, and (ii) the CPUC Fire-Threat Map. (D.17-01-009 at 48.)

CPUC Fire-Threat Map that reflects the IRT’s review and recommended revisions through September 25, 2017. On October 5, 2017, the PDP filed and served a document that provided summary information regarding the geographic areas covered by the Initial CPUC Fire-Threat Map. On November 17, 2017, the PDP filed and served the IRT-approved CPUC Fire-Threat Map. On November 20, 2017, the PDP filed and served a document that provided the following summary information regarding the geographic areas covered by the IRT-approved CPUC Fire-Threat Map:

Table 1			
Geographic Area Covered by the IRT-approved CPUC Fire-Threat Map			
Square Miles			
Region	Tier 2 Elevated	Tier 3 Extreme	Tier 2 + Tier 3
Southern California	6,352	6,070	12,421
Northern California	51,476	6,408	57,884
Total for Tier	57,827	12,478	70,305
Percent of California Land Area			
Region	Tier 2 Elevated	Tier 3 Extreme	Tier 2 + Tier 3
Southern California	13.9%	13.2%	27.1%
Northern California	45.7%	5.6%	51.3%
Total for Tier	36.5%	7.8%	44.3%
Source: Response of the Peer Development Panel to Administrative Law Judges’ October 6, 2017 Ruling – Additional Shape B Map Information filed on November 20, 2017, at Appendix A, page A-10.			

The above table shows that the total land area covered by Tier 2 and Tier 3 on the IRT-approved CPUC Fire-Threat Map is 70,305 square miles. For comparison, the total land area covered by the Interim Fire-Threat Maps is 31,022 square miles.⁷

At the time of today's Decision, it is anticipated that the Commission will adopt a final IRT-approved CPUC Fire-Threat Map in early 2018.

A draft of the High Fire-Threat District Map is contained in Appendix D of today's Decision. The draft map is composed of (1) Tier 1 HHZs on the USFS-CAL FIRE joint map of Tree Mortality HHZs; and (2) Tier 2 and Tier 3 fire-threat areas on the IRT-approved CPUC Fire-Threat Map filed on November 17, 2017.

1.2. Proposed Fire-Safety Regulations for the High Fire-Threat District and the Workshop Report

The scope and schedule for R.15-05-006 includes a process for parties to identify, evaluate, and submit proposed fire-safety regulations for the High Fire-Threat District (consisting of Zone 1, Tier 2, and Tier 3 described previously in today's Decision). This process has been led by an ad hoc group known as the Fire Safety Technical Panel ("FSTP"). The FSTP is co-chaired by SED and Southern California Edison Company, and is open to all parties.

The FSTP held 12 days of workshops during the five-month period of February - June 2017. On July 10, 2017, Comcast Phone of California, LLC ("Comcast"), Cox Communications California, LLC ("Cox"), and Crown Castle NG West, Inc. ("Crown Castle") filed and served the *Joint Parties Workshop Report*

⁷ *Response of San Diego Gas & Electric Company (U 902-E) to Administrative Law Judge's August 1 Ruling* filed on August 14, 2017.

on *Fire Safety Regulations* (hereafter, “the Workshop Report”) on behalf of themselves and the following parties:

- AT&T California & New Cingular Wireless PCS, LLC (“AT&T”).
- Bear Valley Electric Service, a division of Golden State Water Company (“Bear Valley”).
- California Cable & Telecommunications Association (“CCTA”).
- California Farm Bureau Federation (“CFBF”).
- California Municipal Utilities Association (“CMUA”).
- The Commission’s Safety and Enforcement Division (“SED”).
- The City of Laguna Beach (“Laguna Beach”).
- Consolidated Communications of California Company (“Consolidated Communications”).
- CTIA-The Wireless Association (“CTIA”).
- Citizens Telecommunications Company of California Inc. d/b/a Frontier Communications of California (U 1024 C), Frontier Communications of the Southwest Inc. (U 1026 C), and Frontier California Inc. (U 1002 C) (collectively, “Frontier”).
- Liberty Utilities (CalPeco Electric) LLC (“Liberty Utilities”).
- International Brotherhood of Electrical Workers Local 1245 (“IBEW 1245”).
- County of Los Angeles Fire Department (“LACFD”).
- Los Angeles Department of Water and Power (“LADWP”).
- Mussey Grade Road Alliance (“MGRA”).
- PacifiCorp d/b/a Pacific Power (“PacifiCorp”).
- Pacific Gas and Electric Company (“PG&E”).
- San Diego Gas & Electric Company (“SDG&E”).
- Southern California Edison Company (“SCE”).
- The Small Local Exchange Carriers (“Small LECs”).
- Sacramento Municipal Utility District (“SMUD”).
- The Utility Reform Network (“TURN”).

The Workshop Report contains 31 proposed fire-safety regulations for the High Fire-Threat District. On July 31, 2017, the following parties filed opening comments regarding the Workshop Report: A coalition of communication infrastructure providers (the “CIP Coalition”)⁸; Laguna Beach; CFBF; Liberty Utilities; MGRA; PacifiCorp; PG&E; a coalition of publicly owned electric utilities consisting of CMUA, LADWP, and SMUD (the “Joint POU’s”); SCE; SDG&E; SED; and TURN. On August 11, 2017, the following parties filed reply comments: The CIP Coalition,⁹ Laguna Beach, Liberty Utilities, MGRA, PacifiCorp, PG&E, the Joint POU’s, SCE, SDG&E, SED, and TURN.

Pursuant to D.17-01-009, as modified by the co-assigned Administrative Law Judges’ (“ALJs”) ruling on July 7, 2017, the parties had an opportunity to file motions for an evidentiary hearing on the proposed fire-safety regulations. No party filed a motion for an evidentiary hearing and none was held.

2. Commission Jurisdiction

The purpose of this rulemaking proceeding is to consider and adopt regulations to reduce the fire hazards associated with (1) overhead power-line facilities, and (2) aerial communication facilities located in close proximity to overhead power lines. The California Constitution and the Public Utilities Code (“Pub. Util. Code”) provide the Commission with broad jurisdiction to adopt

⁸ The CIP Coalition is comprised of AT&T, CCTA, Comcast, Consolidated Communications, Cox, Crown Castle, CTIA, Frontier, the Small LECs, and T-Mobile West, LLC d/b/a T-Mobile.

⁹ The CIP Coalition’s reply comments included Time Warner Cable Information Services (California), LLC.

regulations regarding the safety of utility facilities and operations.¹⁰ Utilities are required by Pub. Util. Code § 702 to “obey and comply” with such requirements.¹¹

In addition to the Commission’s broad jurisdiction to regulate IOUs, Pub. Util. Code §§ 8002, 8037, and 8056 provide the Commission with authority to adopt and enforce rules governing electric transmission and distribution facilities of publicly owned utilities for the limited purpose of protecting the safety of employees and the general public.

The Commission’s comprehensive jurisdiction over matters of public safety associated with utility facilities extends to attachments to utility poles by CIPs. Specifically, 47 U.S.C. § 224 provides that the Federal Communications Commission (“FCC”) does not have “jurisdiction [under 47 U.S.C. § 224] with respect to rates, terms, and conditions, or access to poles, ducts, conduits, and rights-of-way as provided in subsection (f) for pole attachments in any case where such matters are regulated by a State.” The Commission has certified to the FCC that the Commission regulates such matters in conformance with 47 U.S.C. §§ 224(c)(2) and (3).¹² Further, under 47 U.S.C. § 253(b) the Commission may adopt regulations to protect public safety and welfare.

Likewise, the Cable Communications Policy Act of 1984 specifically grants states jurisdiction over cable service in safety matters. (47 U.S.C. § 556(a).) The California Legislature asserted such jurisdiction in Pub. Util. Code § 768.5, which

¹⁰ Cal. Constitution, Art. XII, §§ 3 and 6, and Pub. Util. Code §§ 216, 701, 761, 768, 770, 1001, 8037, and 8056. See also *SDG&E v. Cal. Super.* (1996) 13 Cal.4th 893, 923-924.

¹¹ See also Pub. Util. Code §§ 761, 762, 767.5, 768, 770.

¹² D.98-10-058, 82 CPUC2d 510, 531, as modified by D.00-04-061, 6 CPUC3d 1, 5.

gives the Commission authority to regulate cable companies with respect to the safe operation, maintenance, and construction of their facilities.

The Commission has enacted an extensive set of safety regulations governing utility facilities and operations, including GO 95. A major goal of GO 95 is to minimize fire hazards.

3. Criteria for the Adoption of New Fire-Safety Regulations

The primary standard we will use to decide whether to adopt the proposed fire-safety regulations in the Workshop Report is whether the proposals are likely to reduce fire hazards in the High Fire-Threat District at a reasonable cost. This is consistent with Pub. Util. Code § 451, which states, in relevant part, as follows:

All charges demanded or received by any public utility... shall be just and reasonable... Every public utility shall furnish and maintain such adequate, efficient, just, and reasonable service, instrumentalities, equipment, and facilities, including telephone facilities... as are necessary to promote the safety, health, comfort, and convenience of its patrons, employees, and the public.

Because this is a quasi-legislative rulemaking proceeding, today's Decision may rely on legislative facts¹³ obtained from written submissions in this proceeding, such as the Workshop Report and written comments. We may also

¹³ A quasi-legislative proceeding establishes policies or rules affecting a class of regulated utilities. (Rule 1.3(d) of the Commission's Rules of Practice and Procedure.) Legislative facts are general facts that help the Commission to decide questions of law and policy and discretion. (Rule 13.3(c) of the Commission's Rules of Practice and Procedure.)

draw on evidence from past proceedings, our experience and expertise in regulating utilities, our current policies, and common sense.¹⁴

Pub. Util. Code § 1708.5(f) provides that “the commission may conduct any proceeding to adopt, amend, or repeal a regulation using notice and comment rulemaking procedures, without an evidentiary hearing, except with respect to a regulation being amended or repealed that was adopted after an evidentiary hearing, in which case the parties to the original proceeding shall retain any right to an evidentiary hearing accorded by Section 1708.” The Commission provided notice of Order Instituting Rulemaking (“OIR”) 15-05-006 to all potential parties, including regulated electric corporations, municipal electric utilities, and CIPs operating in California.¹⁵ The Commission provided parties with an opportunity to request an evidentiary hearing regarding the matters that are addressed in today’s Decision in accordance with the procedure and schedule set forth in D.17-01-009, as modified by the ALJs’ ruling issued on July 7, 2017. No party requested an evidentiary hearing and none was held.

4. Proposed Regulations

The Workshop Report contains 31 proposed regulations (“PRs”) to revise GO 95, GO 165, GO 166, and Electric Tariff Rule 11. There are two consensus PRs and 29 contested PRs. Below, we first address the two consensus PRs, followed by the 29 contested PRs.

¹⁴ D.06-06-071 at 26; D.06-12-029 at 13 – 14; D.04-03-041 at 11; and D.99-07-047, 1 CPUC3d 627, 634 – 636.

¹⁵ OIR 15-05-006 at 19-20 and Ordering Paragraph 23.

4.1. Consensus Proposed Regulations

4.1.1. Proposed Regulation 4 re: GO 95, Rule 18

4.1.1.1 Summary of Proposal

Rule 18 of GO 95 establishes requirements regarding the prioritization and correction of safety hazards discovered by utilities. Several provisions in Rule 18 pertain to fire hazards that are discovered in high fire-threat areas of Southern California on the Interim Fire-Threat Maps adopted in R.08-11-005.

In D.17-01-009, the Commission provided the following instructions to transfer existing fire-safety regulations that rely on the Interim Fire-Threat Maps to the High Fire-Threat District:

- The existing fire-safety regulations that apply to high fire-threat areas in Southern California on the Interim Fire-Threat Maps shall transfer to Tier 3 areas in Southern California of the High Fire-Threat District.
- The existing fire-safety regulations that apply to high fire-threat areas in Northern California on the Interim Fire-Threat Maps shall transfer to Tier 3 areas in Northern California of the High Fire-Threat District.
- The transition of existing fire-safety regulations shall be completed no later than September 1, 2018, in time for the autumn fire season in Southern California.¹⁶

In PR 4, the FSTP proposes to replace the provisions in Rule 18 that pertain specifically to high fire-threat areas in Southern California on the Interim Fire-Threat Maps with provisions that refer to Tier 3 fire-threat areas in Southern California of the High Fire-Threat District.

¹⁶ D.17-01-009 at 51-52 and Ordering Paragraph 10.

The text of the FSTP's proposed revisions to Rule 18 is set forth in Appendix A of today's Decision. The FSTP recommends that the revised Rule 18 take effect upon the Commission's adoption of its statewide High Fire-Threat District Map. The FSTP did not perform a cost-benefit analysis of its proposed revisions to Rule 18 because the revisions are mandated by D.17-01-009.

4.1.1.2 Positions of the Parties

PR 4 is supported by most parties, including IBEW 1245, a majority of the CIP parties, and most of the electric utility parties. The position of the supporters is encapsulated by Liberty Utilities' statement that PR 4 is not cost prohibitive and protects safety in the most fire-prone areas of the State.

The following parties take a neutral position on PR 4: SED, Laguna Beach, LACFD, MGRA, SDG&E, SMUD, and TURN. There is no opposition to PR 4.

4.1.1.3 Discussion

The issue before us is whether to adopt PR 4. Our standard for deciding this issue is whether PR 4 will enhance fire safety in the High Fire-Threat District at a reasonable cost.

The utility-associated wildfires that devastated Southern California in October 2007 demonstrate the need for stricter fire-safety regulations in high fire-threat areas of California. We affirm our determination in D.17-01-009 that in order to protect public safety, the stricter fire-safety regulations that currently apply only to specified high fire-threat areas on the Interim Fire-Threat Maps shall transfer to the corresponding Tier 3 areas of the High Fire-Threat District.¹⁷ PR 4 implements our determination with respect to Rule 18. No party suggests,

¹⁷ Tier 3 fire-threat areas have extreme risk for utility-associated wildfires.

and we do not find, that the costs incurred by utilities to implement PR 4's revisions to Rule 18 are unreasonable.

For the preceding reasons, we will adopt PR 4, but with one modification.

PR 4 includes the following proposed revision to Rule 18:

Proposed Revision with Redline

...located in ~~an Extreme or Very High Fire Threat Zone in~~ Southern California, and within Tier 3 of the High Fire-Threat District.... (Deletion shown with strikeout. Addition shown with underline.)

Proposed Revised Text without Redline

...located in Southern California, and within Tier 3 of the High Fire-Threat District....

We believe the above proposed revision to Rule 18 could be misinterpreted to mean that Rule 18, as revised, applies to both Southern California and Tier 3 statewide. This is not the intent of PR 4. To avoid misinterpretation, we will adopt the following revision:

Adopted Revision with Redline

...located in ~~an Extreme or Very High Fire Threat Zone in~~ Tier 3 of the High Fire-Threat District in Southern California.... (Deletion shown with strikeout. Addition shown with underline.)

Adopted Revised Text without Redline

...located in Tier 3 of the High Fire-Threat District in Southern California....

The amended text of Rule 18 is set forth in Appendix B of today's Decision. We note that the amended Rule 18 adopted by today's Decision may be supplanted by revisions to Rule 18 that are the subject of R.16-12-001.¹⁸

4.1.2. Proposed Regulation 23 re: GO 95, Rule 21.2

4.1.2.1 Summary of Proposal

Rule 21.2 of GO 95 currently lists and defines three "districts" where certain rules apply. These are the "Urban District" (Rule 21.2-A), the "Rural District" (Rule 21.2-B), and the "Loading District" (Rule 21.2-C). These three districts are listed in GO 95's Section II, List of Defined Terms and GO 95's Index.

In PR 23, SCE proposes to amend Rule 21.2 to include a fourth district called the "High Fire Threat District." The High Fire Threat District ("HFTD") would be added as Rule 21.2-D. SCE's proposed Rule 21.2-D would describe the HFTD as consisting of the following three subparts identified in D.17-01-009:

- (1) **Tree Mortality (TM) Zone** is Tier 1 of the latest version of the United States Forest Service (USFS) and CAL FIRE's joint map of Tree Mortality High Hazard Zones (HHZs). (Note: Tree Mortality HHZs Map may be revised regularly by the USFS and CAL FIRE.)
- (2) **Tier 2** is Tier 2 of the CPUC Fire Threat Map.
- (3) **Tier 3** is Tier 3 of the CPUC Fire Threat Map.

PR 23 includes ancillary revisions to GO 95's List of Defined Terms and GO 95's Index to incorporate the HFTD.

¹⁸ The scope of R.16-12-001 is to consider whether to eliminate Rule 18 or, alternatively, consider specified amendments to Rule 18, including whether to eliminate utilities' authority under Rule 18 to defer the correction of overhead utility facilities that pose a risk to safety and/or reliability. (OIR 16-12-001 at 2.)

The text of SCE's proposed revisions to GO 95 is contained in Appendix A of today's Decision. SCE recommends that PR 23 take effect upon the publication of the revised GO 95. SCE indicates that PR 23 will not, in and of itself, result in any additional costs for utilities.

4.1.2.2 Positions of the Parties

All parties who expressed a position regarding PR 23 either support the proposal or take a neutral position. There is no opposition to PR 23.

4.1.2.3 Discussion

PR 23 consists of ministerial revisions to Rule 21.2 that implement the requirement adopted by D.17-01-009 to incorporate the High Fire-Threat District and associated maps into GO 95.¹⁹ Therefore, we adopt these revisions, but with two modifications. First, we replace the term "Tree Mortality (TM) Zone" with the term "Zone 1" in order to provide a more concise term. Second, we insert a hyphen in the terms "High Fire-Threat District" and "CPUC Fire-Threat Map." Our adopted revisions to Rule 21.2, and our ancillary revisions to GO 95's List of Defined Terms and Index, are set forth in Appendix B of today's Decision.

4.2. Contested Proposed Regulations

4.2.1. Proposed Regulation 1 re: GO 95, Rule 17

4.2.1.1 Summary of Proposal

Rule 17 of GO 95 requires each owner or operator of utility power lines to establish procedures to investigate major accidents and failures for the purpose of determining the causes and minimizing the possibility of recurrence. Rule 17 defines "major accidents and failures" as:

¹⁹ D.17-01-009 at 56, Conclusion of Law 59, and Ordering Paragraph 11.

- (a) Incidents associated with utility facilities which cause property damage estimated at or about the time of the incident to be more than \$50,000.
- (b) Incidents resulting from electrical contact which cause personal injury which require hospitalization overnight, or result in death.

Importantly, incidents caused by motor vehicles are explicitly exempted from the scope of Rule 17.

In PR 1, Laguna Beach proposes to amend Rule 17 to require each owner or operator of utility power lines to establish procedures to investigate major accidents and failures that result from motor vehicle collisions with utility facilities in Tier 2 and Tier 3 of the High Fire-Threat District that cause property damage estimated at more than \$50,000, excluding damage to a motor vehicle. PR 1 would also require owners and operators of utility power lines to make these procedures available to the city or county having jurisdiction where the incident occurs.

The text of Laguna Beach's proposed revisions to Rule 17 is contained in Appendix A of today's Decision. Laguna Beach did not provide estimated costs for its proposed amendments to Rule 17, but Laguna Beach believes the costs are likely to be minimal and outweighed by the fire-safety benefits.

4.2.1.2 Positions of the Parties

Laguna Beach states that vehicle collisions with utility poles are a major fire hazard. Such collisions can topple utility poles, ignite wildfires, block ingress and egress routes for the public and emergency responders, and delay firefighting efforts to prevent a wildfire from spreading out of control.

Laguna Beach reports that since 2007, there have been 58 vehicle-pole collisions on Laguna Canyon Road, and that Calabasas experienced a major wildfire due to a vehicle-pole collision in 2016.

Laguna Beach submits that PR 1, by requiring the investigation of significant vehicle-pole collisions in high fire-threat areas, will facilitate identification, understanding, and correction of a major fire risk.

No party supports PR 1 other than Laguna Beach. IBEW 1245 and MGRA take a neutral position. Most parties oppose PR 1, including all electric utility parties, most CIP parties, SED, and TURN. In general, the opponents are concerned that utilities are not the appropriate entity to investigate vehicle-pole collisions. PG&E asserts that the responsibility for road safety lies with cities and counties. PG&E emphasizes that pole location is just one of many factors that influence the likelihood of vehicle-pole collisions, and many of these other factors are within the purview of cities and counties.

4.2.1.3 Discussion

The issue before us is whether to adopt PR 1, which would require electric utilities to investigate vehicle-pole collisions in Tiers 2 and 3 of the High Fire-Threat District that cause estimated property damage greater than \$50,000, excluding damage to the motor vehicle. Our standard for deciding this issue is whether PR 1 will enhance fire safety in the High Fire-Threat District at a reasonable cost.

We agree with Laguna Beach that vehicle-pole collisions can ignite dangerous wildfires and, because of this, should be identified, tracked, and analyzed for the purpose of reducing utility-associated wildfire risks. To this end, the Commission in D.14-02-015 adopted the Fire Incident Data Collection Plan (“FIDCP”) to enable SED to identify systemic fire-safety risks and develop measures to mitigate those risks. The adopted FIDCP requires PG&E, SCE, and SDG&E to (1) collect specified information regarding every known fire, down to one linear meter in size, associated with their overhead power-line facilities, and

(2) provide this data to SED in an annual report. The FIDCP report template includes a field for reporting fires ignited by vehicle-pole collisions.²⁰

D.14-02-015 requires PG&E, SCE, and SDG&E to submit FIDCP annual reports by April 1st each year beginning in 2015.²¹ The FIDCP states that SED intends to use these reports to identify and assess systemic fire-safety risks. If SED identifies systemic fire-safety risks, the FIDCP states that SED may conduct root cause analysis, formulate cost-effective measures to reduce such risks, and take other actions to address such risks. The FIDCP also calls for SED to meet with PG&E, SCE, SDG&E, and other stakeholders to discuss the results, costs, benefits, and refinements of the FIDCP nine months after the fifth year of submitting data.²²

In light of the existing FIDCP, we are not convinced that PR 1 will provide a meaningful and cost-effective improvement to fire safety in the High Fire-Threat District. Therefore, we decline to adopt PR 1 at this time.

4.2.2. Proposed Regulation 2 re: GO 95, New Rule “X”

4.2.2.1 Summary of Proposal

PR 2, sponsored by Laguna Beach, would add a new, to-be-numbered “Rule X” to GO 95 that requires each Electric IOU to develop a plan for identifying and correcting fire-safety hazards that fall within the Electric IOU’s service territory designated as Tier 2 or Tier 3 of the High Fire-Threat District. The plan would have to:

²⁰ D.14-02-015 at 82 and 83, Ordering Paragraphs 7-10, and Appendix C.

²¹ D.14-02-015 at Ordering Paragraph 9.

²² D.14-02-015, Appendix C, at C-1 and C-2.

- A. Include outreach to cities and counties to (i) prioritize each project that requires corrective action, and (ii) jointly agree with the affected cities and counties on the corrective actions.
- B. Prioritize projects that address access roads that serve as primary routes for evacuation and for ingress and egress for emergency responders.
- C. Include as a potential corrective action the hardening or undergrounding of the electric system or related utility infrastructure that is along or adjacent to such access roads.

PR 2 would require each Electric IOU to submit its first plan to Commission staff for review. Commission Staff would be required to refer for mediation any disputes that arise between the utility and the affected locality. Each Electric IOU that files a general rate case (GRC) would have to provide an updated plan for review and approval in each GRC cycle.

The text of Laguna Beach's proposed "Rule X" is contained in Appendix A of today's Decision. Laguna Beach acknowledges that PR 2 will create additional costs for Electric IOUs, but Laguna Beach does not provide an estimate of costs.

4.2.2.2 Positions of the Parties

Laguna Beach posits that its proposed Rule X will improve fire safety by requiring each Electric IOU, in collaboration with affected local communities, to develop a plan that identifies and implements measures to remediate fire risks in high fire-threat areas.

No party supports PR 2 other than Laguna Beach. IBEW 1245 and MGRA take a neutral position. Most parties oppose PR 2, including all electric utility parties, most CIP parties, SED, and TURN.

Several opponents contend that PR 2 is unnecessary because GO 166 requires electric utilities to submit annually to the Commission an updated Emergency Response Plan that includes a Fire Prevention Plan. In addition, Pub.

Util. Code § 768.6 requires every Electric IOU to provide copies of its emergency and disaster preparedness plan every two years to every local point-of-contact designated by each city and county. Liberty Utilities, PG&E, and SDG&E comply with this statutory requirement by distributing their GO 166 annual report to local communities. Section 768.6 also requires every Electric IOU to hold public meetings with designated local officials to solicit comments on the utility's emergency and disaster preparedness plan. PG&E and SDG&E suggest that this provision in § 768.6 provides a reasonable opportunity for local communities to provide input on utility fire-prevention measures.

Laguna Beach responds that PR 2 does not duplicate the Fire Prevention Plan required by GO 166. Rather, PR 2 would require Electric IOUs to develop fire-prevention plans that incorporate input from local communities. In contrast, GO 166 and § 768.6 only require Electric IOUs to invite and consider local input.

4.2.2.3 Discussion

The issue before us is whether to adopt PR 2. Our standard for deciding this issue is whether PR 2 will enhance fire safety in the High Fire-Threat District at a reasonable cost.

We agree in principle with Laguna Beach that requiring Electric IOUs to prepare fire-prevention plans is a cost-effective tool for enhancing fire safety. To this end, Electric IOUs are required by GO 166 and the recently enacted Pub. Util. Code § 8386(b) to prepare and submit fire-prevention plans annually to the Commission. Specifically, GO 166 requires electric utilities to submit annually a fire-prevention plan that describes the "measures the utility intends to implement, both in the short run and in the long run, to mitigate the threat of

power-line fires generally and in the specific situation where” severe fire-weather conditions may occur.²³ Pub. Util. Code § 8386(b) requires every electric corporation to prepare and submit annually a wildfire-mitigation plan to the Commission for review. Among other things, the wildfire-mitigation plan must describe the electric corporation’s strategies and programs to reduce the risk of its electrical lines and equipment causing catastrophic wildfires. Pub. Util. Code § 8386(c) requires the Commission to expeditiously review and comment on the electrical corporation’s wildfire-mitigation plan, and Pub. Util. Code § 8386(d) provides the electrical corporation with 30 days to amend its wildfire-mitigation plan in response to Commission comments. Pub. Util. Code § 8386(e) requires the Commission to conduct or contract for audits to determine if an electrical corporation is satisfactorily complying with its wildfire-mitigation plan.²⁴

We recognize that the fire-prevention plan proposed by Laguna Beach in PR 2 differs in some respects from the fire-prevention plan required by GO 166 and the wildfire-mitigation plan required by Pub. Util. Code § 8386(b). In particular, unlike GO 166 and § 8386(b), PR 2 would require each Electric IOU to conduct outreach to every city and county in Tier 2 or Tier 3 fire-threat areas of the utility’s service territory for the purpose of identifying and prioritizing corrective actions. We are persuaded by PG&E that it is not reasonable to expect PG&E – whose service territory encompasses all or parts of 48 counties and

²³ The specific fire-weather conditions are (i) the force of 3-second wind gusts exceeds the structural or mechanical design standards for the affected overhead power-line facilities, (ii) these 3-second gusts occur during a period of high fire danger, and (iii) the affected facilities are located in a high fire-threat area.

²⁴ Pub. Util. Code §§ 8385-8387 was added by Stats. 2016, Ch. 598, Sec. 1 (SB 1028) and is effective January 1, 2017.

hundreds of incorporated cities – to conduct the one-on-one outreach contemplated by Laguna Beach.²⁵

We are also concerned about the proposed requirement in PR 2 for Commission Staff to “refer for mediation any possible disputes that arise between the utility and the affected locality.” PR 2 does not spell out the particulars of the “mediation,” such as who would mediate the dispute (Commission Staff or third parties), pay for the mediation, etc. To the extent Laguna Beach anticipates that Commission Staff would serve as the mediators, we do not have the Staff and budget for more than a handful of disputes.

PR 2 would also require the fire-prevention plans submitted by utilities to “prioritize projects that address primary access roads that are utilized as evacuation routes in the event of wildfire, or access roads that serve as primary points of ingress and egress for emergency responders.” We are not persuaded that this one-size-fits-all approach to prioritizing fire-safety measures is in the public interest. Furthermore, introducing such rigidity could increase the potential for disputes (and requests for mediation) with cities and counties where the prescribed prioritization is not optimal for that particular area.

For the preceding reasons, we are not convinced that requiring utilities to submit the fire-prevention plan contemplated by Laguna Beach in PR 2, in addition to the fire-prevention plan required by GO 166 and the wildfire-mitigation plan required by Pub. Util. Code § 8386(b), will enhance fire safety at a reasonable cost. Therefore, we decline to adopt PR 2 at this time.

²⁵ Workshop Report at B-11.

4.2.3. Proposed Regulation 3 and Alternative Proposed Regulation 4/AP-1 re: GO 95, Rule 18

4.2.3.1 Summary of Proposals

Rule 18 of GO 95 establishes requirements regarding the prioritization and correction of safety hazards discovered by utilities. Several provisions in Rule 18 pertain to fire hazards that are discovered in high fire-threat areas of Southern California on the Interim Fire-Threat Maps adopted in R.08-11-005.

Previously in today's Decision, we adopted PR 4, a consensus proposal to replace the provisions in Rule 18 that pertain to high fire-threat areas in Southern California on the Interim Fire-Threat Maps with provisions that refer to Tier 3 fire-threat areas of the High Fire-Threat District in Southern California. Here, we address two additional proposals to amend Rule 18. One of these proposals was submitted by SDG&E (PR 3), and the second by the CIP Coalition (PR 4, Alternative Proposal 1 ("PR 4/ AP-1")). Our consideration of these two proposals is limited to proposed revisions to Rule 18 that were not adopted previously in today's Decision as part of PR 4.

Rule 18-A(2)(a), as modified previously in today's Decision, requires utilities to prioritize corrective actions based, in part, on whether a fire risk is located in Tier 3 fire-threat areas of Southern California. Rule 18-A(2)(a)(ii), as modified previously in today's Decision, requires utilities to correct within 12 months a fire risk that is (i) located in Tier 3 fire-threat areas of Southern California, and (ii) assigned Priority Level 2.²⁶ The following table summarizes how these provisions in Rule 18 would be amended by PR 3 and PR 4/ AP-1:

²⁶ Rule 18-A(2)(a)(ii) defines "Priority Level 2" as "[v]ariable (non-immediate high to low) safety and/or reliability risk."

Table 2 Proposed Amendments to GO 95, Rule 18		
Rule 18 (As modified previously in Today's Decision)	PR 3 (SDG&E)	PR 4/AP-1 (CIP Coalition)
<u>Rule 18-A(2)(a)</u> : Utilities must prioritize corrective action based, in part, on whether the safety hazard is located in Tier 3 of the High Fire-Threat District in Southern California.	Prioritize corrective action based, in part, on whether the safety hazard is located in Tier 2 or Tier 3 of the High Fire-Threat District statewide.	Prioritize corrective action based, in part, on whether the safety hazard is located in Zone 1, Tier 2, or Tier 3 of the High Fire-Threat District statewide.
<u>Rule 18-A(2)(a)(ii)</u> : Correct Priority Level 2 fire risks within 12 months if located in Tier 3 of the High Fire-Threat District in Southern Calif. and within 59 months in all other areas.	Correct Priority Level 2 fire risks within 6 months if located in Tier 2 or Tier 3 of the High Fire-Threat District statewide.	Correct Priority Level 2 fire risks within 6 months if located in Tier 3 of the High Fire-Threat District statewide.

The text of SDG&E's and the CIP Coalition's proposed revisions to Rule 18 is contained in Appendix A of today's Decision. SDG&E expects that PR 3 will not increase costs for utilities. SDG&E recommends that PR 3 take effect 12 months after the Commission adopts the High Fire-Threat District Map.

The CIP Coalition did not provide a cost estimate for PR 4/ AP-1. The CIP Coalition recommends that PR 4/ AP-1 take effect 18 months after the Commission adopts the High Fire-Threat District Map.

4.2.3.2 Positions of the Parties

PR 3 (SDG&E)

SDG&E posits that its PR 3 will enhance fire safety by requiring Priority Level 2 fire risks in Tier 2 and Tier 3 fire-threat areas to be corrected sooner.

IBEW 1245 is the only party that supports PR 3 other than SDG&E. IBEW 1245 anticipates that the expedited repair timeframe required by PR 3 will decrease fires associated with overhead utility facilities.

Laguna Beach, LACFD, MGRA, and SED take a neutral position. Most parties oppose PR 3, including a majority of the CIP parties, all of the electric utility parties other than SDG&E, and TURN. Many of the opponents take issue with the six-month timeframe that PR 3 would mandate for correcting Priority Level 2 fire risks in both Tiers 2 and 3. These opponents assert that because Tier 2 is an area with an elevated wildfire threat, and Tier 3 is an area with an extreme wildfire threat, it is not reasonable to apply the same six-month timeframe to both Tier 2 and Tier 3. PacifiCorp believes that a six-month timeframe for corrective action is not cost-effective for either Tier 2 or Tier 3.

TURN disputes SDG&E's claim that although PR 3 will not increase costs. TURN states that reducing the timeframe for corrective actions could require more overtime and/or more personnel. TURN submits that depending on the number of corrective actions, costs could increase significantly.

PR 4/AP-1 (CIP Coalition)

The CIP Coalition avers that PR 4/AP-1 will enhance fire safety by (1) shortening the period for correcting fire risks from 12 months to 6 months in Tier 3 fire-threat areas in Southern California, and (2) extending the shorter correction interval to Tier 3 fire-threat areas statewide.

PR 4/AP-1 is supported by most of the CIP parties. The following parties take a neutral position: The Joint POU's, Laguna Beach, LACFD, Liberty Utilities, MGRA, and SED. PR 4/AP-1 is opposed by the IBEW 1245, Bear Valley, PacifiCorp, PG&E, SCE, SDG&E, and TURN.

PacifiCorp states that because its fire season occurs during the months of June through August, a six-month correction period for fire risks discovered during inspection cycles that start in mid-March would not result in any fire-risk mitigation until the following fire season. PacifiCorp is also concerned that the six-month deadline could force repairs to take place during winter months.

PG&E opposes PR 4/AP-1 because it could result in resource gaps and increased costs to complete work in the six-month timeframe given the varied terrain in PG&E's service territory. TURN opposes PR 4/AP-1 because the proponent did not provide a cost estimate for the proposal.

4.2.3.3 Discussion

The issue before us is whether to adopt PR 3 or PR 4/AP-1. Our standard for deciding this issue is whether PR 3, PR 4/AP-1, or some combination thereof will enhance fire safety at a reasonable cost.

4.2.3.3.1 Rule 18-A(2)(a)

Rule 18-A(2)(a), as modified previously in today's Decision, requires utilities to prioritize the correction of safety hazards based on six factors, including whether the safety hazard is located in a Tier 3 fire-threat area in Southern California. In PR 3, SDG&E proposes to modify Rule 18-A(2)(a) so that it applies to safety hazards located in Tier 2 and Tier 3 fire-threat areas anywhere in the State. In PR 4/AP-1, the CIP Coalition proposes to modify Rule 18-A(2)(a) so that it applies to safety hazards located in Zone 1, Tier 2, and Tier 3 fire-threat areas statewide (i.e., located in the High Fire-Threat District statewide).

We conclude that it is reasonable to adopt the CIP Coalition's PR 4/AP-1. The High Fire-Threat District consists of areas where there is an elevated or extreme risk for utility-associated wildfires. The precepts of common sense and public safety dictate that when utilities discover facilities that pose a fire hazard,

they should consider if the fire hazard is in Zone 1, Tier 2, or Tier 3 of the High Fire-Threat District when prioritizing the correction of the fire hazard. Indeed, we believe it would be reckless and contrary to Pub. Util. Code § 451 if utilities were to ignore the location of a fire hazard with respect to the High Fire-Threat District when prioritizing the correction of the fire hazard.

Although the CIP Coalition did not provide a cost estimate for PR 4/AP-1, we conclude that it is unlikely the costs will be significant. The adopted amendment to Rule 18-A(2)(a) requires utilities to do nothing more than consider where a fire hazard is located with respect to the High Fire-Threat District when prioritizing the correction of the fire hazard. While utilities may incur some costs to implement procedures for carrying out this prioritization, we conclude that such costs are exceeded by the public-safety benefits.

We decline to adopt SDG&E's PR 3 to the extent that SDG&E's proposal omits Zone 1 fire-threat areas from Rule 18-A(2)(a). SDG&E did not explain why it omitted Zone 1. We conclude that it is reasonable to include Zone 1 fire-threat areas in Rule 18-A(2)(a) for the previously stated reasons.

We disagree with TURN that there is insufficient information to properly assess the cost-effectiveness of our adopted amendments to Rule 18-A(2)(a). We find that there are substantial public-safety benefits, as well as public policy considerations,²⁷ to justify our adopted amendments to Rule 18-A(2)(a).

²⁷ The *Safety Policy Statement of the California Public Utilities Commission*, dated July 10, 2014, states at 1 that it is the Commission's policy to continually reduce the safety risks posed by the utilities regulated by the Commission. The *Safety Policy Statement* is at: http://www.cpuc.ca.gov/uploadedFiles/CPUC_Public_Website/Content/Safety/VisionZero4Final621014_5_2.pdf.

Our adopted amendments to Rule 18-A(2)(a) are set forth in Appendix B of today's Decision. We also correct a non-substantive typographical error in Rule 18-A(1)(b) noted by the CIP Coalition.²⁸

4.2.3.3.2 Rule 18-A(2)(a)(ii)

Rule 18-A(2)(a)(ii), as modified previously in today's Decision, requires utilities to correct within 12 months a Priority Level 2 fire risk that is located in Tier 3 of the High Fire-Threat District in Southern California.²⁹ All other Priority Level 2 fire risks must be corrected within 59 months. These are maximum allowed timeframes for correcting fire risks. Rule 18 requires a Priority Level 2 fire risk to be corrected in less than 12 months or 59 months if doing so is necessary to protect public safety.

In PR 3, SDG&E proposes to amend Rule 18-A(2)(a)(ii) to require Priority Level 2 fire risks to be corrected within six months if they are located in Tier 2 or Tier 3 of the High Fire-Threat District anywhere in the State. In PR 4/AP-1, the CIP Coalition proposes to require Priority Level 2 fire risks to be corrected within 6 months if they are located in Tier 3 statewide, and within 59 months if they are located in Tier 2 statewide.

For the reasons set forth below, we conclude that it is reasonable to adopt PR 3 and PR 4/AP-1 to the extent these proposals seek to amend Rule 18-A(2)(a)(ii) to require Priority Level 2 fire risks to be corrected within 6 months if they are located in a Tier 3 fire-threat area anywhere in the State, and

²⁸ Workshop Report at B-28.

²⁹ Rule 18-A(2)(a)(ii) defines "Priority Level 2" as "[v]ariable (non-immediate high to low) safety and/or reliability risk."

within 12 months if they are located in a Tier 2 fire-threat area anywhere in the State. We decline to adopt all other aspects of these proposals.

Tier 3 fire-threat areas pose an extreme risk for utility-associated wildfires. Given the severity of the wildfire risk, we conclude that public safety requires that we amend Rule 18-A(2)(a)(ii) to provide a maximum of six months to correct Priority Level 2 fire risks in Tier 3 fire-threat areas. Similarly, Tier 2 fire-threat areas pose an elevated risk for utility-associated wildfires. Given the elevated wildfire risk, we conclude that public safety requires that we amend Rule 18-A(2)(a)(ii) to provide a maximum of 12 months to correct Priority Level 2 fire risks in Tier 2 fire-threat areas. We emphasize that 6 months is the maximum time allowed to correct Priority Level 2 fire risks in Tier 3 fire-threat areas, and 12 months in Tier 2 fire-threat areas. Utilities have a duty under Rule 18,³⁰ Rule 31.1,³¹ and Pub. Util. Code § 451³² to correct Priority Level 2 fire risks sooner if doing so is necessary to protect public safety.

We decline to adopt at this time a six-month correction timeframe for Priority Level 2 fire risks in Tier 2 as recommended by SDG&E. The land area covered by Tier 2 on the IRT-approved CPUC Fire-Threat Map is 57,827 square

³⁰ Rule 18-A(1)(a) requires each utility to take appropriate action to remedy safety hazards posed by its facilities.

³¹ Rule 31.1 states that a “if an intended use or known local conditions require a higher standard than the particulars specified in in [GO 95] to enable the furnishing of safe, proper, and adequate service, the company shall follow the higher standard.”

³² Pub. Util. Code § 451 requires every public utility to “furnish and maintain... service, instrumentalities, equipment, and facilities... as are necessary to promote the safety, health, comfort, and convenience of its patrons, employees, and the public.”

miles, or approximately 37 percent of the land area of California.³³ Because of the large area covered by Tier 2, and given that Priority Level 2 includes non-immediate, low fire risks, we are not convinced that a six-month deadline for correcting every Priority Level 2 fire risk in Tier 2 is cost-effective or necessary to protect public safety.

We realize that there may be situations where a utility cannot meet the correction timeframes adopted by today's Decision for Priority Level 2 fire risks in Tier 2 and Tier 3 fire-threat areas because of circumstances beyond the utility's control. In these situations, Rule 18-A(2)(b) allows correction times to be extended for good cause, such as third-party refusal to provide access, severe weather, and system emergencies.

We do not expect the correction timeframes adopted by today's Decision for Priority Level 2 fire risks will increase costs significantly for utilities in the long run. Rule 18 has always required utilities to correct Priority Level 2 fire risks. While today's Decision requires utilities to correct fire risks sooner if they are located in Tier 2 or Tier 3, today's Decision does not affect the total number of Priority Level 2 fire risks that must be corrected over time.

We disagree with TURN's position that there is insufficient information in the record of this proceeding to assess the reasonableness and cost-effectiveness of the shortened correction timeframes adopted by today's Decision. Fire risks in Tier 2 and Tier 3 fire-threat areas are a major threat to public safety. To the extent a utility incurs significant costs to comply with Rule 18-A(2)(a)(ii) because of today's Decision, we conclude that the costs are offset by the substantial

³³ *Response of the Peer Development Panel to Administrative Law Judges' October 6, 2017 Ruling – Additional Shape B Map Information* filed on November 20, 2017, at Appendix A, page A-10.

public-safety benefits of reducing the risk of utility-associated wildfires occurring in Tier 2 (elevated) and Tier 3 (extreme) fire-threat areas.

The text of 18-A(2)(a)(ii), as amended by today's Decision, is set forth in Appendix B of today's Decision. We note that the amendments to Rule 18 adopted by today's Decision may be supplemented and/or superseded by revisions to Rule 18 that are the subject of R.16-12-001.³⁴

4.2.3.3.3 Further Consideration of Reduced Timeframe for Correcting Priority Level 2 Fire Risks

We intend to further consider the efficacy of reducing the timeframe for correcting Priority Level 2 fire risks in Tier 2 from 12 months to 6 months as recommended by SDG&E. To this end, we will instruct the Director of the Commission's SED or the Director's designee to confer with CAL FIRE, within the context of the Interagency Fire Safety Working Group established by the CPUC-CAL FIRE Memorandum of Understanding ("MOU"), as to whether it would be cost-effective to adopt a six-month correction timeframe (or other reduced timeframe) for Priority Level 2 fire risks in Tier 2 fire-threat areas. We discuss this matter further in Section 7 of today's Decision.

4.2.4. Proposed Regulation 5 re: GO 95, Rule 31.1

PR 5, proposed by SDG&E, is essentially identical to SDG&E's PR 3 that we addressed previously in Section 4.2.3.3.2 of today's Decision. Both PR 5 and PR 3 would allow a maximum of six months to correct "[a]ny equipment conditions or facilities that pose an elevated fire-ignition risk in Tiers 2 and 3 of

³⁴ The scope of R.16-12-001 is to consider whether to eliminate Rule 18 or, alternatively, consider specified amendments to Rule 18, including whether to eliminate utilities' authority under Rule 18 to defer the correction of overhead utility facilities that pose a risk to safety and/or reliability. (OIR 16-12-001 at 2.)

the High Fire-Threat District.³⁵ The main difference between PR 5 and PR 3 is the specific rule within GO 95 that would be amended. PR 5 would amend Rule 31.1 and PR 3 would amend Rule 18.

We decline to adopt PR 5 to the extent it seeks the same amendments to Rule 31.1 that we adopt for Rule 18-A(2)(a)(ii) in Section 4.2.3.3.2 of today's Decision. We find that it would be redundant for Rule 31.1 to contain the same text as Rule 18-A(2)(a)(ii). We reject the remainder of PR 5 for the same reasons we reject the corresponding parts of PR 3 in Section 4.2.3.3.2 of today's Decision.

4.2.5. Proposed Regulation 6 re: GO 95, Rule 31.5

4.2.5.1 Summary of Proposal

Rule 31.5 of GO 95 requires utilities to consider the joint use of poles when constructing or reconstructing overhead facilities. Rule 31.5 further states that “[n]othing herein shall be construed as... granting authority for the use of any poles without the owner’s consent (see Rule 32.2 and Section IX).”³⁶

In PR 6, SDG&E proposes to amend Rule 31.5 to state that all pole attachments in Tiers 2 and 3 of the High Fire-Threat District “must have the consent of a pole owner or granting authority prior to any construction,” and that any attachment without such consent may be reported to the Commission.

The text of SDG&E’s proposed revisions to Rule 31.5 is contained in Appendix A of today’s Decision. SDG&E recommends that its proposed

³⁵ Workshop Report at B-39.

³⁶ For reference, Rule 32.2 concerns the arrangement of circuits with different voltage classifications and states “[i]t is recommended that lines be arranged by mutual agreement of those concerned...” Section IX provides special rules for all classes of lines on joint poles, and contains the same statement as Rule 31.5: “[n]othing herein shall be construed as... granting authority for the use of any poles without the owner’s consent.”

revisions take effect upon the Commission's adoption of PR 6. SDG&E opines that PR 6 should not result in increased costs.

4.2.5.2 Positions of the Parties

In support of its PR 6, SDG&E asserts there have been incidents – notably the Malibu Canyon Fire in October 2007 – in which poles failed because, in part, unauthorized attachments overloaded the poles. SDG&E posits that obtaining the pole owner's permission for an attachment will help ensure that poles are not overloaded and thereby reduce the risk of catastrophic power-line wildfires.

IBEW 1245 and the Joint POU's support PR 6. IBEW 1245 states that because the electrical utility is responsible for the physical integrity of the pole, the utility should have authority over other parties' pole attachments in Tier 2 and Tier 3 of the High Fire-Threat District. The Joint POU's recommend that if PR 6 is adopted, it must be clear that the amended Rule 31.5 does not supersede existing laws and regulations that require prior consent for all pole attachments.

The following parties take a neutral position: Bear Valley, Laguna Beach, LACFD, Liberty Utilities, MGRA, PacifiCorp, SED, and TURN.

The CIP Coalition, PG&E, and SCE oppose PR 6 because rules prohibiting unauthorized attachments already exist in contracts between parties, the Commission's Right-of-Way Rules ("ROW Rules"), the Northern California Joint Pole Association Routine Handbook, and the Southern California Joint Pole Committee Routine Handbook. The CIP Coalition contends that it is unclear how making an unauthorized pole attachment a GO 95 violation will provide the utilities with more protection than they have today. The CIP Coalition adds that because the purpose of GO 95 is to establish rules regarding the design, construction, and maintenance of overhead lines, PR 6 is an inapposite amendment to GO 95 given the General Order's purpose.

4.2.5.3 Discussion

The issue before us is whether to adopt PR 6. Our standard for deciding this issue is whether PR 6 will enhance fire safety in the High Fire-Threat District at a reasonable cost.

We agree with the intent of PR 6, namely, that all pole attachments in Tiers 2 and 3 of the High Fire-Threat District should have the consent of the pole owner(s) or granting authority. To this end, the ROW Rules adopted by D.98-10-058 prohibit unauthorized pole attachments, establish a fine for unauthorized attachments, and provide notice that the Commission may impose additional sanctions.³⁷ In addition, Rules 31.5, 34, and 91.1 of GO 95 provide that pole attachments must be authorized by the pole owner(s).

For the foregoing reasons, we find that PR 6 will not materially enhance fire safety in the High Fire-Threat District. Therefore, we decline to adopt PR 6.

Today's Decision does not affect other current and future proceedings where the Commission may adopt new regulations regarding pole attachments. These other proceedings include the combined Investigation 17-06-027 and Rulemaking 17-06-028 where the Commission is considering, among other

³⁷ D.98-10-058, Appendix A, Section VI.D (Unauthorized Attachments) provides as follows:

1. No telecommunications carrier or cable TV company may attach to the... support structure of another utility without the express written authorization from the utility.
2. For every violation of the duty to obtain approval before attaching, the owner or operator of the unauthorized attachment shall pay to the utility a penalty of \$500 for each violation. This fee is in addition to all other costs which are part of the attacher's responsibility. Each unauthorized pole attachment shall count as a separate violation for assessing the penalty.
3. Any violation of the duty to obtain permission before attaching shall be cause for imposition of sanctions as, in the Commissioner's judgment, are necessary to deter the party from in the future breaching its duty to obtain permission before attaching. Any Commission order imposing such sanctions will be accompanied by findings of fact that permit the pole owner to seek further remedies in a civil action.

things, strategies for increased non-discriminatory access to utility poles by competitive communications providers, the impact of such increased access on safety, and how to ensure the integrity of the affected communications and electric supply infrastructure.³⁸

**4.2.6. Proposed Regulation 7, Alternative Proposal 1, and
Alternative Proposal 2 re: GO 95, Rule 35, Table 1,
Case 14**

4.2.6.1 Summary of Proposals

GO 95, Rule 35, Table 1, Case 14 (“Case 14”) specifies minimum radial clearances between bare line conductors and vegetation in the high fire-threat areas of Southern California on the Interim Fire-Threat Maps. Case 13 specifies the minimum vegetation clearances everywhere else in California. The following table lists the minimum vegetation clearances for Case 14 and Case 13:

³⁸ Combined Order Instituting Investigation 17-06-027 and Order Instituting Rulemaking 17-06-028 at 1.

Table 3a				
GO 95, Rule 35, Table 1, Case 14				
Minimum Radial Clearance Between Power Lines and Vegetation in High Fire-Threat Areas of Southern California				
Kilovolts (kV)				
0.75 - 2.4 kV	2.4 - 72 kV	72 - 110 kV	110 - 500 kV	>500 kV
18 inches	48 inches	72 inches	120 inches	120 inches + 0.4 inch for each kV >500
Table 3b				
GO 95, Rule 35, Table 1, Case 13				
Minimum Radial Clearance Between Power Lines and Vegetation in all other parts of California				
0.75 - 300 kV			>300 kV	
18 - 37.5 inches, depending on voltage			75 inches + 0.2 inch for each kV >300	
All Clearances in Tables 3a and 3b for Normal Annual Weather Variations.				

In PR 7, the FSTP proposes to replace the provisions in Case 14 that pertain specifically to high fire-threat areas in Southern California on the Interim Fire-Threat Maps with provisions that refer to Tier 3 of the High Fire-Threat District in Southern California.

In PR 7/AP-1, SED proposes to amend Case 14 so that the minimum vegetation clearances in Case 14 apply to the entire High Fire-Threat District (Zone 1, Tier 2, and Tier 3) statewide. In PR 7/AP-2, PG&E proposes to amend Case 14 so that the minimum vegetation clearances in Case 14 apply to Tier 3 of the High Fire-Threat District statewide. The following table summarizes the geographic area where Case 14 would apply under each proposal:

Table 4			
Geographic Area Subject to Case 14			
Current	PR 7	PR 7/AP-1	PR 7/AP-2
<ul style="list-style-type: none"> • Southern Calif. • High Fire-Threat Areas on the Interim Fire-Threat Maps 	<ul style="list-style-type: none"> • Southern Calif. • Tier 3 of the High Fire-Threat District 	<ul style="list-style-type: none"> • Statewide • Entire High Fire-Threat District (Zone 1, Tier 2, and Tier 3) 	<ul style="list-style-type: none"> • Statewide • Tier 3 of the High Fire-Threat District

The text of the FSTP’s, SED’s, and PG&E’s proposed revisions to Case 14 is contained in Appendix A of today’s Decision.

The FSTP and PG&E each recommend that its proposed revisions to Case 14 take effect 12 months after the Commission’s adoption of the High Fire-Threat District Map. SED recommends that its proposed revisions take effect 36 months after the adoption of the High Fire-Threat District Map.

None of the proponents provided a cost estimate for its proposal, although PG&E states that the additional costs of maintaining increased vegetation clearances in Tier 3 fire-threat areas statewide should be mitigated because California Public Resources Code Section 4293 (“Cal. Pub. Res. Code § 4293”) already requires 48 inches of radial clearance between bare line conductors and vegetation in State Responsibility Areas (“SRAs”).

4.2.6.2 Positions of the Parties

PR 7 (FSTP)

PR 7 is supported by IBEW 1245, Liberty Utilities, PacifiCorp, PG&E, and SCE. The position of the supporters is encapsulated by Liberty Utilities’ statement that it supports PR 7 because it is not cost prohibitive and protects safety in the most fire-prone areas of the State.

Most parties take a neutral position with respect to PR 7, including the majority of the CIP parties, Laguna Beach, MGRA, the Joint POU's, and SDG&E.

LACFD, SED, and TURN oppose PR 7. SED opposes PR 7 because it is limited to Tier 3 fire-threat areas in Southern California. SED contends that Case 14 should apply to the entire High Fire-Threat District statewide as recommended by SED in PR 7/AP-1. TURN opposes PR 7 on the basis of insufficient information regarding its cost-effectiveness.

PR 7/AP-1 (SED)

SED submits that PR 7/AP-1 is in the public interest because, in SED's view, the Commission's vegetation-related fire-safety regulations should apply throughout the High Fire-Threat District. SED's PR 7/AP-1 achieves this objective while the alternatives (PR 7 and PR 7/AP-2) do not.

PR 7/AP-1 is supported by IBEW 1245, LACFD, and SDG&E. IBEW 1245 states that the fire-safety benefits of PR 7/AP-1 are presumptively cost-effective. IBEW 1245 contends that the Commission should not reject PR 7/AP-1 because of the inability to measure how many fires will be avoided by adopting PR 7/AP-1.

Most parties take a neutral position on PR 7/AP-1, including a majority of the CIPs, Bear Valley, Laguna Beach, and MGRA.

PR 7/AP-1 is opposed by the Joint POU's, Liberty Utilities, PacifiCorp, PG&E, SCE, and TURN. Liberty Utilities and PG&E contend that PR 7/AP-1 does not mitigate the fire hazard of trees falling onto power lines. Liberty Utilities adds that the map for Zone 1 of the High Fire-Threat District will be updated every two years, making it difficult to plan for tree trimming.

PG&E asserts that SED offered no evidence that trees growing into power lines are a major source of wildfires. Thus, PG&E argues, extending the Case 14

vegetation clearances to the High Fire-Threat District statewide would needlessly expand the scope of Case 14.

PacifiCorp contends that PR 7/AP-1 is not cost-effective, operationally practical, or necessary. PacifiCorp further contends that it is inappropriate to require the same vegetation clearances for both Tiers 2 and 3 of the High Fire-Threat District because each tier has a different fire-risk level.

TURN opposes PR 7/AP-1 on the basis of insufficient information regarding its cost-effectiveness.

PR 7/AP-2 (PG&E)

PG&E submits that its PR 7/AP-2 is in the public interest because, in part, Cal. Pub. Res. Code § 4293 already requires four feet of clearance between bare line conductors and vegetation in SRAs during fire season. Extending this 4-foot clearance to a year-round requirement will not add much cost for utility ratepayers and will eliminate the yo-yo effect where the clearance requirement changes from 4 feet to 18 inches depending on the season.

Bear Valley, the Joint POU's, IBEW 1245, and PacifiCorp support PR 7/AP-2. Most of the CIP parties, Laguna Beach, Liberty Utilities, MGRA, SCE, and SDG&E take a neutral position with respect to PR 7/AP-2.

LACFD, SED, and TURN oppose PR 7/AP-2. SED's opposition rests primarily on PR 7/AP-2's exclusion of Zone 1 and Tier 2 fire-threat areas from the scope of Case 14. TURN opposes PR 7/AP-2 on the basis of insufficient information regarding its cost-effectiveness.

4.2.6.3 Discussion

The issue before us is whether to adopt PR 7, PR 7/AP-1, or PR 7/AP-2, or some combination thereof. Our standard for deciding this issue is whether each PR, or some combination thereof, will enhance fire safety in the High Fire-Threat

District at a reasonable cost. We address each of these proposed regulations in the following order: PR 7, PR 7/AP-2, and PR 7/AP-1.

4.2.6.3.1 PR 7

Case 14 requires increased radial clearances between bare line conductors and vegetation in the high fire-threat areas of Southern California on the Interim Fire-Threat Maps. In D.17-01-009, the Commission determined that all existing fire-safety regulations that apply only to high fire-threat areas in Southern California on the Interim Fire-Threat Maps shall transfer to Tier 3 fire-threat areas of the High Fire-Threat District in Southern California. The Commission further held that parties could present recommendations in the current proceeding for adjusting the areas of the High Fire-Threat District where the transferred regulations should apply.³⁹

PR 7 modifies Case 14 to conform to D.17-01-009. Therefore, we will adopt PR 7 to the extent the proposal implements the Commission's directive in D.17-01-009 to transfer Case 14 to Tier 3 fire-threat areas of the High Fire-Threat District in Southern California. We decline to adopt PR 7 to the extent the intent of this proposal is to confine the application of Case 14 to Tier 3 fire-threat areas in Southern California. As discussed below in the context of SED's PR 7/AP-1, we conclude that in order to protect public safety, Case 14's vegetation clearances should apply to all of the High Fire-Threat District statewide.

We decline to consider TURN's position that there is insufficient information to assess the cost-effectiveness of PR 7. We previously determined in D.17-01-009 that existing fire-safety regulations that apply only to high

³⁹ D.17-01-009 at 52 and 56, and Ordering Paragraph 10.

fire-threat areas in Southern California on the Interim Fire-Threat Maps should transfer to Tier 3 fire-threat areas of the High Fire-Threat District in Southern California. PR 7 implements the Commission's determination in D.17-01-009 with respect to Case 14. We will not revisit our determination here.

4.2.6.3.2 PR 7/AP-2

PG&E's PR 7/AP-2 seeks to amend Case 14 so that it applies to Tier 3 fire-threat areas statewide. With one condition, we will adopt PR 7/AP-2 for the reasons set forth below. The one condition is that our adoption of PR 7/AP-2 does not preclude our considering and adopting SED's PR 7/AP-1 that is addressed in Section 4.2.6.3.3 below.

A general principle that we employ in today's Decision is that an existing GO 95 fire-safety regulation that applies only to high fire-threat areas in Southern California on the Interim Fire-Threat Maps should be amended to apply to Tier 3 fire-threat areas of the High Fire-Threat District statewide. The Commission recognized in R.08-11-005 that parts of Southern California faced extreme utility-associated wildfire risks, as demonstrated by the catastrophic wildfires in October 2007. To address this extreme wildfire risk, the Commission in R.08-11-005 amended GO 95 to include several new fire-safety regulations that applied only to high fire-threat areas in Southern California on the Interim Fire-Threat Maps adopted in that proceeding.⁴⁰ The High Fire-Threat District Map that is nearing completion in the current proceeding will substantially improve the Commission's ability to identify areas where there are extreme

⁴⁰ The Commission in R.08-11-005 also adopted significant new inspection requirements for specified CIP facilities located in high fire-threat areas throughout California, not just in Southern California.

utility-associated wildfire risks throughout the State. Such areas are designated as Tier 3 fire-threat areas on the High Fire-Threat District Map.

We conclude that existing fire-safety regulations that apply only to high fire-threat areas in Southern California on the Interim Fire-Threat Maps should apply to Tier 3 fire-threat areas of the High Fire-Threat District statewide. These fire-safety regulations were adopted for the specific purpose of addressing extreme utility-associated wildfire risks. We find that in order to protect public safety, it is vital that these fire-safety regulations, including Case 14 at issue here, should apply to Tier 3 extreme fire-threat areas throughout California.

PG&E did not provide a cost estimate for extending the geographic scope of Case 14 from high fire-threat areas in Southern California to Tier 3 statewide. However, the record for this proceeding indicates that the costs will not be excessive. The following table compares the geographic area covered by Tier 3 statewide to the high fire-threat areas in Southern California on the Interim Fire-Threat Maps:

Table 5	
Size of Geographic Area Where Case 14 Vegetation Clearances Apply	
Geographic Area	Size of Area (Square Miles)
Southern California. High Fire-Threat Areas on the Interim Fire-Threat Maps ¹	9,629 ²
Statewide. Tier 3 extreme fire-threat areas of the High Fire-Threat District (based on the IRT-approved CPUC Fire-Threat Map filed on November 17, 2017)	Tier 3 in South. Calif.: 6,070 Tier 3 in North. Calif: 6,408 Tier 3 in All Calif.: 12,478 ³
<p>Note 1: The Interim Fire-Threat Maps in this Table are (1) the SDG&E Fire-Threat Map, and (2) the FRAP Map for the remainder of Southern California.</p> <p>Note 2: Source of the listed square miles is the <i>Response of San Diego Gas & Electric Company (U 902-E) to Administrative Law Judge's August 1 Ruling</i>, filed on August 14, 2017, at Attachment A, page 5.</p> <p>Note 3: Source of the listed square miles is the <i>Response of the Peer Development Panel to Administrative Law Judges' October 6, 2017 Ruling – Additional Shape B Information</i>, filed on November 20, 2017, at Attachment A, page A-10.</p>	

The above table shows that Case 14 applies to 9,629 square miles of high fire-threat areas in Southern California on the Interim Fire-Threat Maps, compared to 12,478 square miles in Tier 3 fire-threat areas statewide on the IRT-approved CPUC Fire-Threat Map. To the extent a utility incurs a significant increase in costs to comply with Case 14 because of today’s Decision, we conclude that the costs are offset by the substantial public-safety benefits that will result from the mitigation of vegetation-related fire risks in Tier 3 fire-threat areas. The efficacy of such mitigation will be enhanced by the much greater precision the CPUC Fire-Threat Map will provide in identifying areas where

there is an extreme utility-associated wildfire risk compared to the Interim Fire-Threat Maps.⁴¹

We recognize that the size of the statewide Tier 3 area listed in the above table (12,478 square miles) is from the IRT-approved CPUC Fire-Threat Map, not the final CPUC High Fire-Threat Map that the Commission will ultimately adopt.⁴² Nonetheless, we conclude that the IRT-approved CPUC Fire-Threat Map provides a reasonable estimate for the size of the statewide Tier 3. We do not anticipate that the size of the statewide Tier 3 on the final CPUC Fire-Threat Map will increase to such a large degree relative to the IRT-approved CPUC Fire-Threat Map as to invalidate our previous conclusion that costs incurred by utilities to implement Case 14 in Tier 3 statewide are exceeded by the public-safety benefits.

4.2.6.3.3 PR 7/AP-1

We previously determined that the increased vegetation clearances required by Case 14 should apply to Tier 3 fire-threat areas statewide. Here, we consider if the Case 14 vegetation clearances should apply to Zone 1 and Tier 2 fire-threat areas statewide as recommended by SED in PR 7/AP-1.

Power lines must be kept clear of vegetation at all times to prevent wildfires and outages. Wildfires ignited by vegetation contact with power lines can potentially grow to great size and cause enormous destruction in Zone 1 and Tier 2 fire-threat areas. This fact is illustrated by the following map that shows

⁴¹ The CPUC Fire-Threat Map is designed to identify areas throughout the State where there is an elevated or extreme utility-associated wildfire risk, whereas the Interim Fire-Threat Maps are not well suited for this purpose. (D.12-01-032 at Findings of Fact 17-20.)

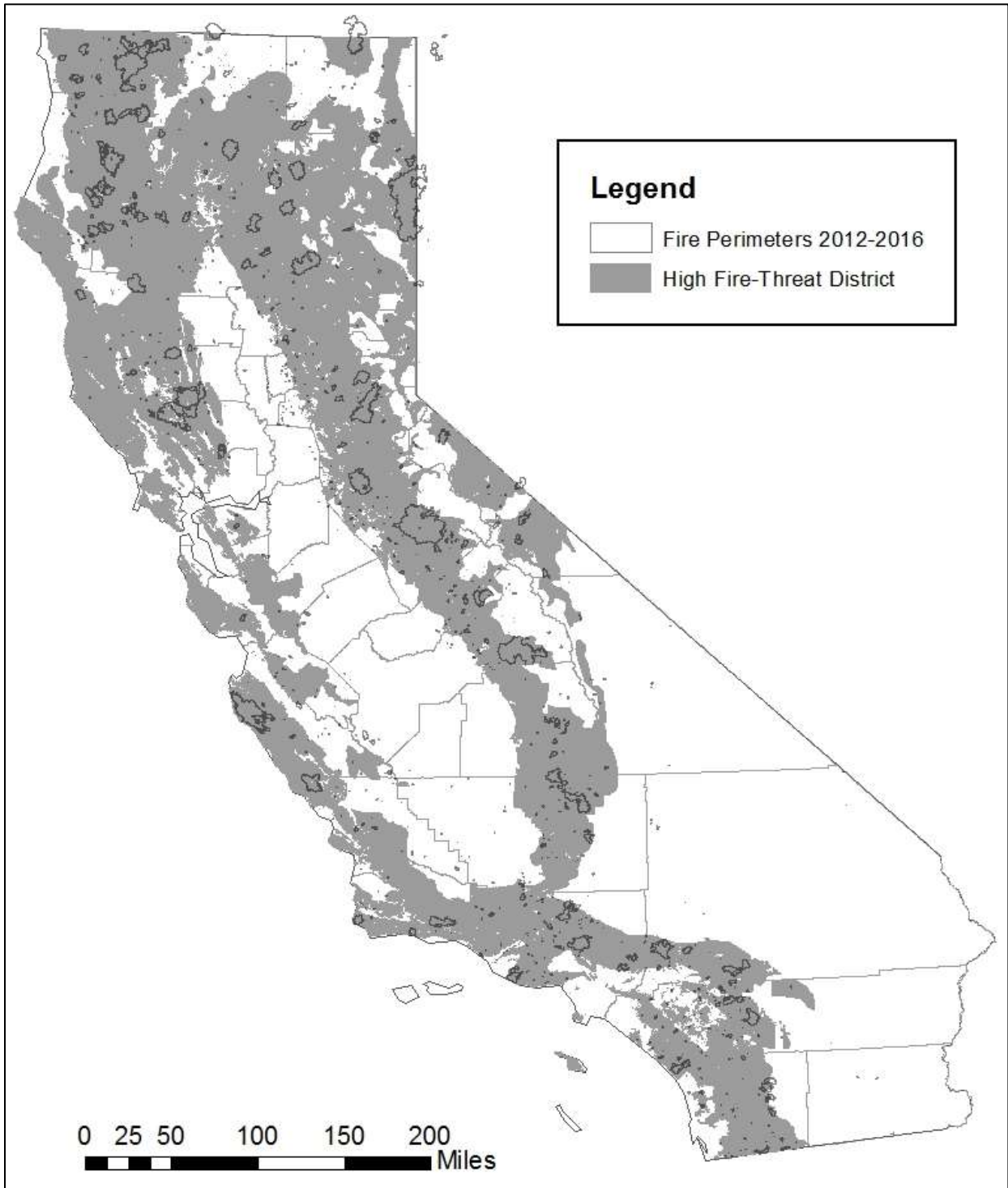
⁴² The CPUC Fire-Threat Map will be one of the two maps that comprise the High Fire-Threat District Map.

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the footprint of large wildfires (from all causes) during 2012-2016 overlaid on the draft map of the High Fire-Threat District (i.e., Zone 1, Tier 2, and Tier 3):

Figure 1

Draft High Fire-Threat District Map and 2012-2016 Wildfire Perimeters



The above map does not reflect the many large wildfires that occurred in the footprint for the High Fire-Threat District before 2012 or after 2016, such as the catastrophic wildfires in Southern California in October 2007 and in Northern California in October 2017.

For the preceding reasons, we conclude that it is in the public interest to adopt SED’s PR 7/AP-1 and thereby apply the increased vegetation clearance requirements of Case 14 to Zone 1 and Tier 2 fire-threat areas statewide. We recognize that today’s Decision significantly increases the geographic area where Case 14 applies. Prior to today’s Decision, Case 14 applied to high fire-threat areas in Southern California depicted on the Interim Fire-Threat Maps. Today’s Decision amends Case 14 so that it applies to the High Fire-Threat District (i.e., Zone 1, Tier 2, and Tier 3 fire-threat areas) statewide. The following table lists the geographic areas covered by Case 14 before and after today’s Decision:

Table 6			
Geographic Area Covered by Case 14			
(Square Miles)			
	Southern Calif.	Northern Calif.	Total Calif.
Before Today’s Decision ¹	9,629	0	9,629
After Today’s Decision ²	12,421	57,884	70,305
Difference	2,792	57,884	60,676
Note 1: Interim Fire-Threat Maps.			
Note 2: IRT-approved CPUC Fire-Threat Map filed on November 17, 2017.			

The above table shows that today's Decision increases the area covered by Case 14 by 60,676 square miles for all of California.⁴³ Although SED did not provide an estimate of the costs that utilities would incur, we find that the costs will not be unduly burdensome. This is because, in large part, the following preexisting programs and statutes already require electric utilities to maintain increased vegetation clearances in much of the High Fire-Threat District.

Tree Mortality High Hazard Zone (HHZ)

Zone 1 of the High Fire-Threat District consists of the Tier 1 HHZ on the USFS - CAL FIRE joint map of Tree Mortality HHZs. The Tier 1 HHZ is in direct proximity to communities, roads, and utility lines. As such, it represents a direct threat to public safety.⁴⁴

A great deal of tree removal has already occurred, and continues to occur, to reduce the fire risk posed by dead and diseased trees in Zone 1 pursuant to the Governor's October 30, 2015 Emergency Proclamation.⁴⁵ Specifically, the Emergency Proclamation ordered state agencies, utilities, and local governments "to remove dead or dying trees in [Tree Mortality HHZs] that threaten powerlines, roads, other evacuation corridors and other existing structures." As part of this work, CAL FIRE identified ten High Priority Counties most in need of addressing tree mortality issues, all of which are located partially or wholly

⁴³ Most of the Zone 1 fire-threat area overlaps with Tiers 2 and 3 fire-threat areas.

⁴⁴ Almost all of Zone 1 overlaps with Tier 3, Tier 2, and/or SRAs. In fact, approximately 21,616 acres (34 square miles), representing less than three percent of the current Zone 1, is located outside of Tier 3, Tier 2, and SRAs.

⁴⁵ On September 1, 2017, by Executive Order B-42-17, the Governor continued the orders and provisions in his October 30, 2015 Emergency Proclamation.

within PG&E's service territory.⁴⁶ In 2016, PG&E removed approximately 236,000 dead or dying trees. PG&E estimates that it will remove 158,000 trees in 2017.⁴⁷

State Responsibility Areas

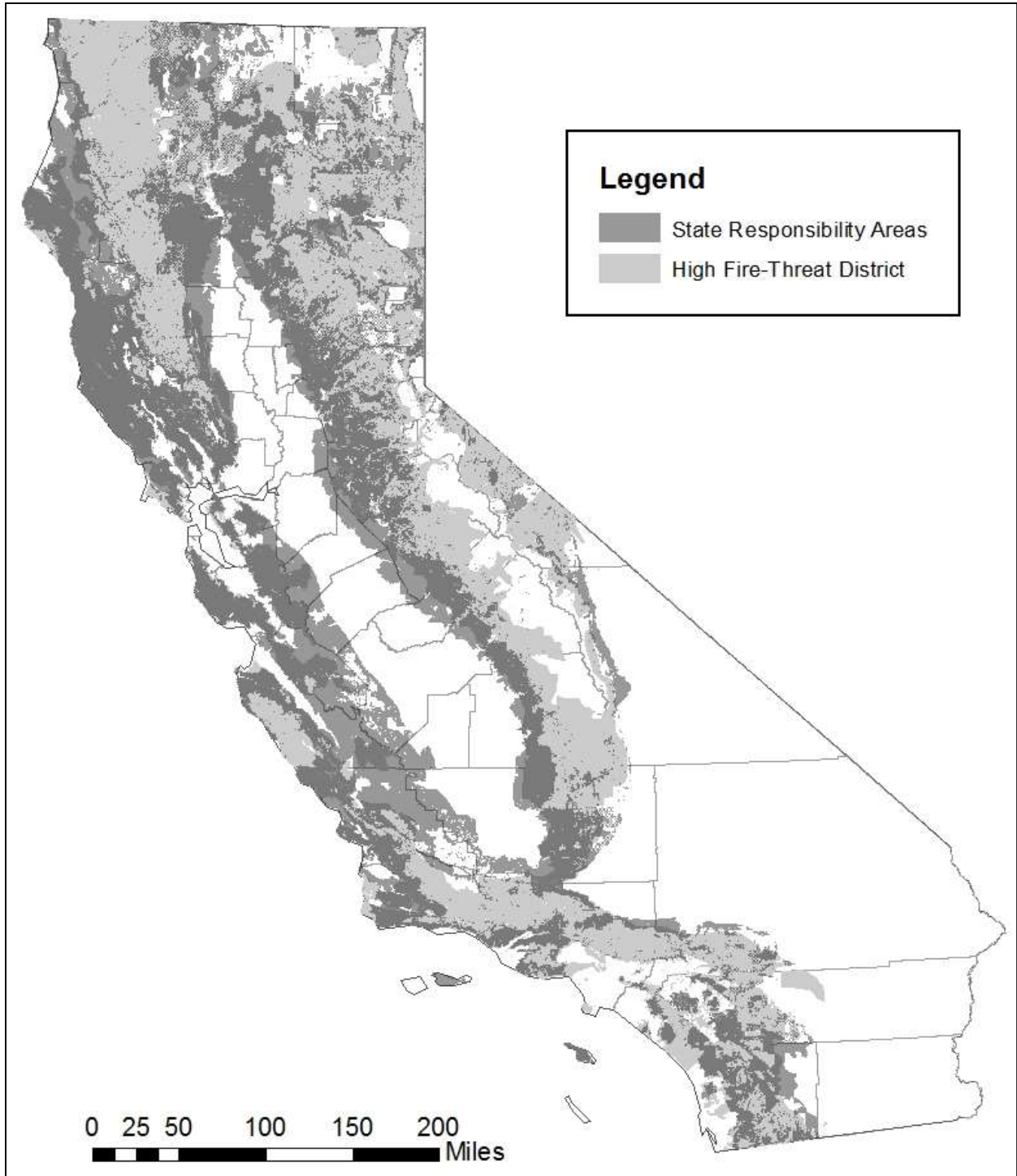
The increased vegetation clearances mandated by Case 14 are identical to the vegetation clearances established by Cal. Pub. Res. Code § 4293 for power lines with voltages in the range of 2.4 kV – 500 kV in SRAs. As a result, electric utilities should incur little or no additional costs to implement Case 14 for power lines in areas where SRAs overlap the High Fire-Threat District. The following map shows this overlap:⁴⁸

⁴⁶ The ten Counties are Amador, Calaveras, El Dorado, Fresno, Kern, Madera, Mariposa, Placer, Tulare and Tuolumne.

⁴⁷ Tree Mortality Task Force Meeting Minutes, September 11, 2017, http://www.fire.ca.gov/treetaskforce/downloads/Monthly_MeetingMaterials/TMTF_%20Minutes_9-11-17.pdf. (Accessed October 13, 2017).

⁴⁸ The map shows an overlay of SRAs on the draft High Fire-Threat District Map in Appendix D of today's Decision.

Figure 2
Overlay of SRAs on the Draft High Fire-Threat District Map



Although Case 14 incorporates the vegetation clearances established by Pub. Res. Code § 4293 for SRAs, Case 14 is stricter than Pub. Res. Code § 4293 in the following respects:

- Pub. Res. Code § 4293 does not establish a clearance requirement for power lines with voltages in the range of 0.75-2.4 kV. In contrast, Case 14 requires a minimum vegetation clearance of 18 inches for such power lines.
- Pub. Res. Code § 4293 establishes a minimum vegetation clearance of 10 feet for power lines with voltages greater than 500 kV. In contrast, Case 14 requires a minimum clearance of 10 feet plus 0.40 inches for every kV in excess of 500 kV.
- The vegetation clearances established by Pub. Res. Code § 4293 apply only during the fire season declared by CAL FIRE for each county. In contrast, Case 14 applies year-round.
- Pub. Res. Code § 4293 applies to power lines in SRAs that are located on mountainous land, forest-covered land, brush-covered land, or grassland. In contrast, Case 14 applies to power lines everywhere in the high fire-threat areas designated by the Commission.

We disagree with TURN that Case 14 vegetation clearances should not be extended to any part of the High Fire-Threat District at this time due to insufficient information to assess the costs and benefits. If TURN were to have its way, Case 14 would continue to apply only to high fire-threat areas in Southern California on the Interim Fire-Threat Maps, including areas that are not in the High Fire-Threat District. We believe it is imprudent to require electric utilities to spend money and effort to maintain Case 14 vegetation clearances in areas outside the High Fire-Threat District.

Moreover, it would be reckless to exempt the entire High Fire-Threat District from the Case 14 vegetation clearances. Power-line fires can cause enormous destruction as demonstrated by the catastrophic power-line fires in

Southern California in October 2007⁴⁹ and the devastating Butte Fire in Amador and Calaveras Counties in September 2015.⁵⁰ The catastrophic wildfires in Northern California in October 2017 further demonstrate the enormous destruction and loss of life that wildfires can cause.⁵¹ In our judgement, the Case 14 vegetation clearances are a reasonable measure for preventing catastrophic power-line fires in the High Fire-Threat District, as demonstrated by the fact that such clearances have been in effect for many years in SRAs.⁵²

We disagree with PacifiCorp that extending Case 14 vegetation clearances to the High Fire-Threat District statewide is not cost-effective, practical, or necessary. The previous maps show that (1) the region where PacifiCorp's service territory is located is prone to large wildfires in the High Fire-Threat District, and (2) PacifiCorp's service territory includes SRAs where PacifiCorp is already required to maintain Case 14 vegetation clearances for much of the year.

4.2.7. Proposed Regulation 8 re: GO 95, Rule 38

4.2.7.1 Summary of Proposal

Rule 38 of GO 95 specifies minimum radial clearances between wires. Currently, Rule 38 allows a 10 percent reduction of the minimum clearances in certain circumstances.

⁴⁹ The October 2007 power-line wildfires in Southern California burned more than 334 square miles.

⁵⁰ The Butte Fire of September 2015, located within Tier 2, burned more than 70,000 acres (106 square miles), destroyed an estimated 921 structures, and resulted in two fatalities.

⁵¹ The Northern California wildfires are cited for the sole purposes of demonstrating the enormous destructive potential of wildfires. The cause of the Northern California wildfires is currently under investigation.

⁵² We do not believe it is in the public interest for the wildfire prevention afforded by the Case 14 vegetation clearances to apply to SRAs, but not to the High Fire-Threat District where there is an elevated or extreme risk for utility-associated wildfires.

PR 8, proposed by SDG&E, would modify Rule 38 to state that mid-span clearances between wires may be less than the specified minimum by no more than five percent in Tier 3 of the High Fire-Threat District. To facilitate implementation of this requirement, PR 8 would further specify that electric supply and/or communication companies “shall cooperate and provide relevant information for sag calculations for their facilities, upon request.” The overall effect of PR 8 would be to impose a more stringent clearance requirement between wires at mid-span in Tier 3 fire-threat areas.

The text of SDG&E’s proposed revisions to Rule 38 is contained in Appendix A of today’s Decision. SDG&E recommends that PR 8 take effect 12 months after the Commission’s adoption of the High Fire-Threat District Map. SDG&E did not provide a cost estimate for PR 8, but anticipates that any cost impacts will be negligible.

4.2.7.2 Positions of the Parties

SDG&E submits that PR 8 is in the public interest because it will draw attention to the need for utilities to apply rigorous analysis to properly assess the adequacy of clearances at mid-span where the wires are free to move relative to one another and thus the risk of wire-to-wire contact is the greatest.

Most parties support PR 7, including a majority of the CIP parties, the Joint POUs, IBEW 1245, PacifiCorp, and PG&E. The position of most supporters is encapsulated by PG&E’s statement that PR 8 will increase awareness of maintaining wire-to-wire clearances at mid-span in Tier 3 fire-threat areas.

Although the Joint POUs voted to support PR 8, they question whether an additional five percent clearance between conductors at mid-span would enhance fire safety. They state that for an actual fire-causing event, the sag has to exceed the current allowable 10 percent sag by an additional 70 to 90 percent.

Thus, reducing the allowable sag to five percent will probably not make an appreciable difference in fire safety. Moreover, for situations in which the minimum wire-to-wire clearance is 72 inches, the Joint POU's assert that the difference between the 10 percent and the 5 percent allowable sag - approximately 3.6 inches - is outside of the accuracy of visual observance and would be challenging to measure with the tools available to field personnel.

The following parties express a neutral position with respect to PR 8: Several CIP parties, Laguna Beach, LACFD, MGRA, SED, and TURN.

PR 8 is opposed by Bear Valley, Frontier, Liberty Utilities, and SCE. Bear Valley is concerned that PR 8 will be difficult to implement. Liberty Utilities withholds support until it has received and reviewed the final Tier 3 map boundary. SCE believes that existing requirements are adequate.

4.2.7.3 Discussion

The issue before us is whether to adopt PR 8. Our standard for deciding this issue is whether PR 8 will enhance fire safety in the High Fire-Threat District at a reasonable cost.

PR 8 satisfies the first criterion of enhancing fire safety in the High Fire-Threat District. Rule 38 prescribes minimum clearances between wires, which may be reduced by 10 percent due to sag and certain other specified reasons. PR 8 would limit the allowable reduction to five percent in Tier 3 fire-threat areas. The effect of PR 8 is to increase the required wire-to-wire clearances at mid-span, thereby reducing the chance of wires touching and igniting a wildfire in Tier 3 fire-threat areas.

With respect to cost-effectiveness, the fact that PR 8 applies only to new and reconstructed facilities in Tier 3 fire-threat areas,⁵³ and not to existing facilities, provides a reasonable basis to expect that the ongoing costs to implement PR 8 will be limited to the proper design of new and reconstructed facilities in Tier 3 fire-threat areas.⁵⁴ PR 8 will also require some initial implementation and training efforts, but such efforts are a one-time cost in contrast to the fire-safety benefits (i.e., reduced likelihood of wires touching) that will accrue over the service lives of the wires.

For the preceding reasons, we conclude that it is reasonable to adopt PR 8. The text of the amended Rule 38 is contained in Appendix B of today's Decision.

4.2.8. Proposed Regulation 9 re: GO 95, Rule 40

4.2.8.1 Summary of Proposal

Rule 40 of GO 95 addresses the mechanical strength requirements for each class of line.⁵⁵ In PR 9, SDG&E proposes to amend Rule 40 to require all entities seeking to attach to a line in the High Fire-Threat District to comply with the line owner's condition-based mechanical strength requirements that are more stringent than those provided in GO 95.

The text of SDG&E's proposed amendment to Rule 40 is contained in Appendix A of today's Decision. SDG&E recommends that its proposed amendments take effect 12 months after the Commission's adoption of the High

⁵³ Workshop Report at B-86.

⁵⁴ For most utilities, Tier 3 fire-threat areas comprise only a small part of their service territories.

⁵⁵ Rule 22.1 defines the term "lines" as "conductors together with their supporting poles or structures and appurtenances which are located outside of buildings."

Fire-Threat District Map. SDG&E does not provide a cost estimate for PR 9, but expects PR 9 will have negligible cost impacts on utilities.

4.2.8.2 Positions of the Parties

SDG&E submits that PR 9 is in the public interest because consistent application of mechanical strength requirements is critical to maintaining structural reliability and, ultimately, fire safety. SDG&E also envisions that PR 9 will steadily improve mitigation of wildfire-ignition risks as new information is applied from ongoing data collection and analysis efforts.

IBEW 1245 and PG&E support PR 9. IBEW 1245 states that the electric utility should be able to dictate more rigorous mechanical strength requirements to mitigate the risk of structural failures in the High Fire-Threat District. PG&E agrees that pole attachers should comply with more stringent requirements established by a pole owner based on known local conditions.

The following parties express a neutral position with respect to PR 9: Bear Valley, Laguna Beach, LACFD, Liberty Utilities, MGRA, SED, and TURN.

The CIP Coalition and SCE oppose PR 9, noting that the existing pole attachment process enables pole owners to (1) adopt more stringent requirements based on known local conditions, and (2) enforce those requirements on pole attachments. The CIP Coalition is also concerned that PR 9 would give pole owners unfettered discretion to adopt additional mechanical strength rules beyond those that would mitigate fire risk.

4.2.8.3 Discussion

The issue before us is whether to adopt PR 9. Our standard for deciding this issue is whether PR 9 will enhance fire safety in the High Fire-Threat District at a reasonable cost.

We agree with the goal of PR 9, namely, that pole owners should be able to impose mechanical strength requirements for pole attachments that are more stringent than those provided in GO 95 if the more stringent requirements are necessary to protect public safety. However, we also agree with the CIP Coalition and SCE that the existing pole-attachment process enables pole owners to impose more stringent requirements on pole attachers based on known local conditions.⁵⁶ The record of this proceeding shows that pole owners have adopted more stringent requirements based on local conditions, which they enforce through the pole-attachment process.⁵⁷

For the preceding reasons, we decline to adopt PR 9 because it does not enhance fire safety over the status quo. Although we do not adopt PR 9, today's Decision does not relieve pole owners and pole attachers of their duty under Pub. Util. Code § 451 and Rule 31.1 to use stricter standards than required by GO 95 for pole attachments when doing so is necessary to protect public safety.

4.2.9. Proposed Regulation 10 re: GO 95, Rule 43.2-A

4.2.9.1 Summary of Proposal

Rule 43.2-A of GO 95 specifies wind-load standards for overhead utility facilities in the Light Loading District. The Light Loading District is defined as areas with an elevation of 3,000 feet or less. Rule 43.2-A directs utilities to use a wind load of 8 pounds per square foot ("psf") to determine the required strength of structures with cylindrical surfaces (e.g., utility poles) and 13 psf for flat surfaces. PR 10, proposed by SDG&E, would amend Rule 43.2-A to increase the

⁵⁶ Workshop Report at B-91 and B-92; and SCE Comments (July 31, 2017) at 7.

⁵⁷ Workshop Report at B-92.

wind-load standard by 10 percent for structures in Tier 2 and Tier 3 fire-threat areas of the Light Loading District.

The text of SDG&E's proposal is contained in Appendix A of today's Decision. SDG&E recommends that its proposed amendments to Rule 43.2-A take effect 12 months after the Commission's adoption of the High Fire-Threat District Map. SDG&E does not provide a cost estimate for PR 10, but anticipates that its own costs would be "low to moderate" because SDG&E has already strengthened many of its poles.

4.2.9.2 Positions of the Parties

SDG&E submits that PR 10 is in the public interest because it would harden lines and reduce the risk of pole failures in areas with elevated fire risks.

IBEW 1245 supports PR 10, stating that the 10 percent increase in the wind-load standard in Tiers 2 and 3 will help prevent utility-associated wildfires.

Bear Valley, Laguna Beach, and Liberty Utilities take a neutral position with respect to PR 10.

Most parties oppose PR 10, including a majority of the CIP parties, MGRA, all electric utility parties other than SDG&E, SED, and TURN. Many of the opponents take issue with the proposed uniform wind-load standard for both Tier 2 and Tier 3, suggesting there should be some differentiation in the wind-load standard that applies to Tier 2 versus Tier 3. Another common theme among the opponents is that SDG&E has not demonstrated that its proposed wind-load standard is either necessary throughout Tier 2 and Tier 3 fire-threat areas of the Light Loading District or sufficient throughout these areas. For example, PG&E states there is no technical justification for applying the same wind-load standard throughout Tiers 2 and 3 of the Light Loading District, as wind conditions vary considerably across the State.

PacifiCorp asserts that SDG&E's proposed 10 percent increase in the wind-load standard is not supported by evidence of pole failures caused by wind loading. SCE notes that GO 95 already allows utilities to design and build overhead lines with safety factors that exceed minimum requirements. The CIP Coalition is concerned that PR 10 could cost billions of dollars to implement.

SED's opposition to PR 10 is based on the interdependence among several GO 95 rules involving strength requirements. SED contends that PR 10 and SDG&E's PR 13 (re: Rule 48 of GO 95) together would constitute a significant decrease in public safety.

TURN opposes PR 10 on the basis of insufficient information in the record regarding the costs and benefits of the proposal. TURN also challenges SDG&E's assertion that the costs would be minimal.

4.2.9.3 Discussion

The issue before us is whether to adopt PR 10. Our standard for deciding this issue is whether PR 10 will enhance fire safety in the High Fire-Threat District at a reasonable cost.

In proposing PR 10, SDG&E states "[t]his rule revision is contingent on the adoption of SDG&E's proposed revision to Rule 48" in PR 13, which we discuss later in today's Decision. Here, we address PR 10 on its own merits.

We decline to adopt PR 10 because the apparent intent of the proposal is to establish a statewide wind-load standard of 8 psf for utility poles in the Light Loading District and 8.8 psf (i.e., 8 psf plus 10 percent) for utility poles in Tier 2 and Tier 3 fire-threat areas of the Light Loading District. A wind-load standard of 8 psf translates to a wind speed of 56 miles per hour ("mph") and 8.8 psf

translates to 59 mph.⁵⁸ In our judgement, these baseline wind-load standards are not sufficient to adequately protect public safety and system reliability throughout the Light Loading District.

We agree in principle with SDG&E that fire safety could be enhanced with stricter wind-load standards for overhead utility facilities in Tier 2 and Tier 3 fire-threat areas. However, we do not have at this time a map that identifies with reasonable confidence the frequency and severity of fire-weather winds at every location. Consequently, it is unknown whether stricter wind-load standards are needed everywhere in Tier 2 and Tier 3 or the parameters of the stricter standard.⁵⁹

Despite this uncertainty, we could nonetheless adopt a stricter wind-load standard throughout Tiers 2 and 3. We decline to adopt this approach for the following reasons. First, Tier 2 and Tier 3 comprise 44 percent of the land area in California. A blanket increase in the wind-load standard everywhere in Tier 2 and Tier 3 would be very costly, potentially reaching several billion dollars.⁶⁰ Given the significant costs, it is incumbent upon the Commission to carefully apply a stricter wind-load standard only where expected fire-wind conditions

⁵⁸ Workshop Report at B-98, MGRA comments in opposition.

⁵⁹ SDG&E provided no information regarding the severity of fire winds in Tier 2 and Tier 3 areas. It is conceivable that SDG&E's proposed wind-load standard of 8.8 psf is not sufficient in many high fire-threat areas. If this is the case, adopting SDG&E's proposed regulation could result in significant additional costs without a commensurate improvement in fire safety.

⁶⁰ CIP Coalition Comments (August 1, 2017) at 26.

justify the increased costs. It makes no sense to require an increased wind-load standard, and incur the attendant costs, where the standard is not needed.⁶¹

Second, it is not clear that SDG&E's proposed amendment to GO 95 is needed. Rule 31.1 of GO 95 already requires utilities to design and maintain their facilities based on known local conditions. By now, fire weather (e.g., Santa Ana winds in Southern California) is a well-known local condition. Going forward, utilities must design, build, and maintain their overhead facilities to withstand foreseeable fire-wind conditions in their service territories. In this regard, SDG&E is a model for other utilities. Since the catastrophic power-line fires of October 2007, SDG&E has deployed a network of weather stations, developed a high resolution wind map, and adopted more stringent wind-load standards where warranted in its service territory.⁶²

Although today's Decision does not adopt PR 10, this does not relieve utilities of their duty under Pub. Util. Code § 451 and Rule 31.1 to design, build, and maintain facilities based on known local wind conditions.

Today's Decision does not end our consideration of wind-load standards for high fire-threat areas. As discussed in Section 4.2.10.3 of today's Decision, we will instruct the Director of SED to confer with CAL FIRE regarding the merits and feasibility of developing a statewide fire-wind map. The fire-wind map, if it is developed, would provide the foundation for stricter, targeted, and cost-effective wind-load standards in the High Fire-Threat District.

⁶¹ SDG&E states that that the "rate of pole failure caused solely by wind loading is already very low." (SDG&E Comments (July 31, 2017) at 5.)

⁶² Workshop Report at B-98, B-107, and B-108; and SDG&E Comments (July 31, 2017) at 12.

4.2.10. Proposed Regulation 11 re: GO 95, New Rule 43.3

4.2.10.1 Summary of Proposal

Rule 43 of GO 95 specifies certain minimum wind, ice, and temperature loading conditions that utilities must use to determine the required strength of overhead utility facilities in the Heavy Loading District (i.e., areas where elevation exceeds 3,000 feet above sea level) and the Light Loading District (i.e., areas where elevation above sea level is 3,000 feet or less).

PR 11, proposed by MGRA, would add a new Rule 43.3 that specifies the wind, ice, and temperature loading conditions in a proposed Fire-Threat Loading District. The proposed Rule 43.3 would require the development and adoption of a statewide Fire Weather Wind Loading Map. With respect to cylindrical utility poles, MGRA's proposed Rule 43.3-A would establish the following "wind load condition" for the Fire-Threat Loading District:

Horizontal wind pressures for cylindrical surfaces [in] fire-threat zones shall be determined from the statewide Fire Weather Wind Loading Map as applied in Tier 2 and Tier 3. Wind loading values specified in Rule 43.2-A [of 8 psf] shall be multiplied by [the] wind load factor specified in the statewide Fire Weather Wind Loading Map. (Workshop Report at B-103.)

The text of MGRA's proposed new Rule 43.3 is contained in Appendix A of today's Decision. MGRA recommends that PR 11 take effect six months after the Commission's adoption of a new Fire Weather Wind Loading Map. MGRA estimates that it would cost \$1.7 billion for SDG&E to implement PR 11. MGRA did not provide a cost estimate for other utilities.

4.2.10.2 Positions of the Parties

MGRA submits that PR 11 would enhance safety by (1) identifying areas subject to elevated and severe fire winds, and (2) establishing a fire-wind-loading

standard. MGRA notes that the Commission previously held that the creation of a new fire-wind-loading standard should be one of the outcomes for this proceeding. MGRA recognizes, however, that a fire-wind map needs to be developed in order to adopt new fire-wind-loading standards. MGRA states that the Commission will need to sponsor the development of a fire-wind-loading map, which may require a dedicated subsequent proceeding.

MGRA believes that CAL FIRE has sufficient information and expertise to develop a statewide fire-wind map with adequate resolution for wind-load standards. MGRA notes that during the workshops, a Wildland Fire Scientist employed by CAL FIRE stated that preliminary data to develop a fire-wind map is available, but would require further work on bias correction, wind and gust modeling, application of estimators and confidence of those estimates (i.e., statistical modeling), and attendant quality assurance and quality control processes. With respect to how the development of a fire-wind map might be accomplished, the CAL FIRE scientist stated that CAL FIRE prefers “an independent science team approach whereby the team develops wind data for scoping wind related rules. This team would be selected based on the... nature of the work and include coverage of climate science and modeling, meteorologists, mechanical/utility engineers, fire scientists and statisticians, to make sure the product meets the... needs of scoping wind rules.”⁶³

LACFD supports PR 11. AT&T, Frontier, Consolidated, and the Small ILECs express conditional support. They recommend deferring proposed

⁶³ MGRA quoting the Workshop Report, Appendix E.

fire-wind-load standards to a venue where the parties and the Commission may consider these standards alongside the proposed statewide fire-wind map.

Laguna Beach and IBEW 1245 take a neutral position with respect to PR 11. SED, though taking a neutral position, expresses general agreement with CAL FIRE's statements summarized above.

Most parties oppose PR 11, including all of the electric utility parties, most of the CIP parties, and TURN. The position of most opponents is encapsulated by Liberty Utilities' statement that there is no fire-wind-load map at this time so it is not possible to assess the merits and implications of PR 11.⁶⁴ SCE and SDG&E assert that any new fire-wind-loading standards must include a comprehensive reform of all existing GO 95 wind-load standards.

PacifiCorp asserts there is no need to develop a new fire-wind map, pointing instead to the structural loading requirements and associated wind maps developed by the American Society of Civil Engineers ("ASCE").

TURN is concerned that MGRA's proposal could be staggeringly expensive, noting that MGRA itself provided a cost estimate of \$1.7 billion for just SDG&E's service territory.

In response to PacifiCorp, MGRA asserts that the ASCE wind maps do not adequately meet the need for cost-effective fire-wind-loading regulations because the ASCE wind maps do not identify areas with strong fire winds; do not differentiate between fire-wind conditions and wet storms; and except for one band east of Los Angeles and one band along the Sierra Nevada crest, the ASCE wind maps apply one wind-load standard to the entire state. In response

⁶⁴ Workshop Report at B-116; and Liberty Utilities opening comments (July 31, 2017) at 6-7.

to TURN's concern about costs, MGRA states that its proposal is designed to minimize the cost of fire-safety enhancements.

4.2.10.3 Discussion

We agree in principle with MGRA that fire safety would be enhanced by the adoption of a statewide fire-wind map to (1) identify areas subject to elevated and severe fire winds, and (2) establish fire-wind-loading standards and/or other fire-safety regulations tied to fire winds. However, there is no fire-wind map at this time,⁶⁵ and the Commission lacks the expertise to develop a fire-wind map. The record of this proceeding indicates that CAL FIRE has sufficient expertise to develop (or oversee the development) of a fire-wind map.⁶⁶

We will instruct the Director of SED or the Director's designee (together, "Director") to confer with CAL FIRE regarding the merits and feasibility of (1) CAL FIRE developing (or overseeing the development of) a statewide fire-wind map, and (2) the merits and feasibility of establishing fire-wind-loading standards and possibly other fire-safety regulations that are tied to the fire-wind map. If the Director and CAL FIRE jointly determine that the development of a statewide fire-wind map and associated fire-safety regulations has merit and is feasible, the Director shall also confer with CAL FIRE regarding the process and funding mechanism for the development of the fire-wind map.

⁶⁵ The CPUC Fire-Threat Map that is in an advance stage of development uses wind data (in addition to other data and factors) to identify areas where there is an increased hazard for the ignition and rapid spread of power-line fires. However, the CPUC Fire-Threat Map does not incorporate wind data of sufficient robustness and granularity to establish with reasonable confidence the frequency and severity of fire-wind conditions that can be expected at every location in the High Fire-Threat District. (*Mapping Environmental Influences on Utility Fire Threat, Final Report, 2/16/2016*, filed on February 16, 2016, at Sections 9-11.)

⁶⁶ Workshop Report, Appendix E.

The Director shall confer with CAL FIRE via the Interagency Fire Safety Working Group that is established pursuant to the CPUC-CAL FIRE MOU contained in Appendix C of today's Decision. We discuss this matter further in Section 7 of today's Decision. Today's Decision does not decide whether it is reasonable and cost-effective to develop a fire-wind map or adopt associated fire-safety regulations. We will address these matters, as appropriate, after the Director confers with CAL FIRE.

Finally, returning to MGRA's PR 11, we adopt the proposal to the extent it is consistent with our previous discussion of PR 11. The proposal is denied in all other respects.

4.2.11. Proposed Regulation 12 re: GO 95, Rule 44.3

4.2.11.1 Summary of Proposal

Rule 44.3 of GO 95 requires newly installed wood poles, with all attachments at the time of installation, to have a safety factor of 4.0 for Grade A wood poles and 3.0 for Grade B wood poles. Rule 44.3 also requires wood poles to be replaced or reinforced before safety factors are reduced to less than 2.67 for Grade A wood poles and 2.0 for Grade B wood poles.

PR 12, proposed by SDG&E, would amend Rule 44.3 for wood poles supporting electric supply lines in Tier 3 of the High Fire-Threat District. Grade A and Grade B wood poles support electric supply lines. Under SDG&E's proposal, the allowed reduction of the safety factor for Grade A and Grade B wood poles in Tier 3 fire-threat areas to less than 4.0 and 3.0, respectively, would be limited to deterioration and in-kind replacement of equipment (excluding conductors, cables, messengers and span wires interconnecting multiple poles).

The text of SDG&E's proposed revisions to Rule 44.3 is contained in Appendix A of today's Decision. SDG&E recommends that its proposed

revisions take effect 12 months after the Commission's adoption of the High Fire-Threat District Map. SDG&E did not provide a cost estimate for PR 12, but anticipates that its own costs will be low to moderate.

For the sake of brevity, today's Decision will focus on the aspects of PR 12 that apply to Grade A wood poles.

4.2.11.2 Positions of the Parties

SDG&E submits that PR 12 will enhance fire safety by limiting the allowable causes for safety factor reductions for wood poles in Tier 3 fire-threat areas, which will reduce the risk of wood poles failing and igniting fires. SDG&E states that certain utilities are finding a significant percentage of their wood poles are overloaded due to new attachments. SDG&E also represents that PR 12 is consistent with the National Electric Safety Code.

PR 12 is supported by IBEW 1245 and all of the electric utility parties except SCE. Liberty Utilities cautions that because the final boundaries of Tier 3 are unknown, it is impossible to determine how costly or feasible the implementation of PR 12 will be in Liberty Utilities' service territory.

Laguna Beach and MGRA take a neutral position with respect to PR 12.

Most CIPs, LACFD, SED, SCE, and TURN oppose PR 12. The CIP Coalition adamantly opposes PR 12, asserting it would require a 50 percent increase in pole strength vs. the present level (i.e., $4.0/2.67 = 1.50$). The CIP Coalition contends that SDG&E has not justified such a drastic increase in required pole strength. The CIP Coalition contends that if a safety factor of less than 4.0 is deemed unsafe for adding a communications attachment to an existing Grade A wood pole, there is no legitimate reason why power lines should be allowed on Grade A wood poles that have a safety factor of less than 4.0. The CIP Coalition argues that the real motivation for PR 12 is not safety, but

to prevent attachments by CIPs and/or require CIPs to pay for new poles as a condition for new attachments.

SCE states that SDG&E has not demonstrated a compelling need for PR 12. SCE posits that existing rules regarding allowable reductions to safety factors for wood poles are adequate.

TURN argues that PR 12 should be rejected because there is insufficient information in the record to determine the reasonableness and cost-effectiveness of the proposed regulation.

4.2.11.3 Discussion

The issue before us is whether to adopt PR 12. Our standard for deciding this issue is whether PR 12 will enhance fire safety in the High Fire-Threat District at a reasonable cost.

Currently, Rule 44.3 requires a Grade A wood pole to be replaced or reinforced before the pole's safety factor drops below 2.67. New attachments may be added to an existing Grade A wood pole if the safety factor for the pole, with the new attachment, is 2.67 or higher.

PR 12 would amend Rule 44.3 to prohibit new attachments (other than in-kind replacements of existing attachments) to an existing Grade A wood pole in Tier 3 fire-threat areas if the safety factor for the pole, with the new attachment, is less than 4.0. On the other hand, as long as no new attachments are added to the pole, PR 12 would allow existing attachments on a Grade A wood pole to remain until the pole's safety factor falls below 2.67, at which time the pole would have to be replaced or reinforced.

We agree with the CIP Coalition that it does not make sense that a Grade A wood pole with its existing attachments must have a minimum pole safety factor of 4.0 if a new attachment is added to the pole, but the same pole may have a

minimum pole safety factor of 2.67 as long as no new attachment is added.

Logically, if a Grade A wood pole with a safety factor of less than 4.0 is unsafe for adding a new attachment, it follows that the same pole with a safety factor of less than 4.0 is unsafe with its existing attachments. Tellingly, SDG&E does not assert that the latter is unsafe.

We are not persuaded by SDG&E that PR 12 is needed because “certain utilities” are finding that a significant percentage of their poles are overloaded due to new attachments.⁶⁷ This is a troubling allegation for which SDG&E provided no evidence. Overloaded poles pose a serious risk to public safety and system reliability, and are strictly prohibited by GO 95 and Pub. Util. Code § 451. In any event, the alleged lack of compliance with existing pole safety factor requirements does not demonstrate that existing requirements are inadequate. Rather, it suggests that compliance and enforcement are inadequate.⁶⁸

We recognize that PR 12 would increase safety to the extent it requires existing wood poles with new attachments to be stronger than they otherwise would be under the current Rule 44.3. However, the cost for the additional safety provided by PR 12 is unknown but potentially significant. Among other things, PR 12 would require Grade A wood poles to be replaced sooner than they otherwise would be under the current Rule 44.3.

⁶⁷ SDG&E Reply Comments (August 11, 2017) at 6.

⁶⁸ If a utility pole owner discovers an overloaded pole caused by a new pole attachment, the utility must immediately remedy the overloaded pole. The utility should document the unsafe condition and notify the Commission’s Safety and Enforcement Division so that appropriate enforcement actions may be taken.

For the previous reasons, we decline to adopt PR 12 because there is insufficient information in the record to determine either the reasonableness or cost-effectiveness of the proposed regulation.

4.2.12. Proposed Regulation 13 re: GO 95, Rule 48

4.2.12.1 Summary or Proposal

Rule 48 of GO 95 specifies the required strength of overhead utility structures and parts thereof. The current text of Rule 48 is shown below.

Structural members and their connection shall be designed and constructed so that the structures and parts thereof **will not fail** or be seriously distorted at any load less than their maximum working loads (developed under the current construction arrangements with loadings as specified in Rule 43) ***multiplied by the safety factor specified in Rule 44.*** (Emphasis added.)

SDG&E's PR 13 would eliminate the "multiply by" provision in Rule 48 that is shown above with the italicized text.

The text of SDG&E's proposed revisions to Rule 48 is shown in Appendix A of this Decision. SDG&E recommends that its proposed revisions take effect immediately. SDG&E does not expect PR 13 will increase costs for any affected entity.

4.2.12.2 Positions of the Parties

SDG&E states that the purpose of its PR 13 is to correct a major error in Rule 48. SDG&E posits that the intent of Rule 48 with respect to Grade A wood poles is to establish a statewide wind-load standard of 8 psf/56 mph in the Light Loading District. SDG&E asserts that the "will not fail" provision and the "multiply by" in Rule 48 are being misinterpreted by SED as establishing a statewide wind-load standard of 32 psf/112 mph for new Grade A wood poles in the Light Loading District, which may degrade to 21.4 psf/92 mph. SDG&E

submits that PR 13, by eliminating the “multiply by” provision in Rule 48, will clarify that the GO 95 wind-load standard is 8 psf/56 mph for Grade A wood poles in the Light Loading District. SDG&E argues that failure to adopt PR 13 will have a chilling effect on electric utilities’ and CIPs’ willingness to pursue other fire-safety enhancements related to mechanical strength requirements.

Most parties support PR 13. Laguna Beach and TURN take a neutral position. LACFD, MGRA, and SED oppose PR 13. MGRA and SED argue that PR 13 is outside the scope of this proceeding because the proposal does not enhance fire safety. SED cautions that it is important to understand that PR 13 would decrease substantially the compliance threshold at which the “will not fail” provision in Rule 48 is currently enforced.

4.2.12.3 Discussion

We decline to consider PR 13 because the proposal is outside the scope of this proceeding. Pursuant to OIR 15-05-006, the Scoping Memo, and D.17-01-009, the geographic scope of the proposed fire-safety regulations that may be considered in this proceeding is limited to the High Fire-Threat District.⁶⁹ PR 13 seeks to amend Rule 48 to establish a wind-load standard that applies to Grade A wood poles throughout the Light Loading District, which includes large geographic areas that are not within the High Fire-Threat District. As a result, PR 13 is outside the scope of this proceeding.⁷⁰

⁶⁹ OIR 15-05-006 at 6-7; *Assigned Commissioner’s Scoping Memo and Ruling* dated July 15, 2016, at 3-4; and D.17-01-009 at 59.

⁷⁰ None of the comments on the Proposed Decision dispute our finding that PR 13 is outside the scope of this proceeding. (*See, e.g.,* CIP Coalition Comments on Proposed Decision, at 6-8; SCE Comments on Proposed Decision, at 4; and SDG&E Comments on Proposed Decision, at 1 - 2.

In response to comments on the Proposed Decision, we have revised today's Decision to remove text that provides a substantive interpretation of Rule 48. We agree with the CIP Coalition and SDG&E that it is unnecessary to interpret Rule 48 in the context of PR 13 given that PR 13 is outside the scope of this proceeding.⁷¹

4.2.13. Proposed Regulation 14 re: GO 95, New Rule 53.5

4.2.13.1 Summary of Proposal

PR 14, proposed by PG&E, would add a new Rule 53.5 that requires "precautions" to be taken to guard against leakage currents burning wood support structures for circuits of more than 7,500 volts in Tier 3 of the High Fire-Threat District.

The text of PG&E's proposed new Rule 53.5 is contained in Appendix A of today's Decision. PG&E recommends that its proposed new Rule 53.5 take effect 12 months after the Commission's adoption of the High Fire-Threat District Map. PG&E provides limited information regarding the costs of PR 14, stating "[f]or a replacement pole job costing approximately \$15,000, the added cost to install leakage prevention hardware would be less than \$100."⁷²

4.2.13.2 Positions of the Parties

PG&E submits that PR 14 will enhance fire safety by reducing the risk that leakage currents will ignite wildfires by burning wood crossarms and/or poles.

PR 14 is supported by the Joint POU's, IBEW 1245, PacifiCorp, SCE, and SDG&E. In general, the supporters agree that PR 14 is reasonable.

⁷¹ CIP Coalition Comments on Proposed Decision, at 7. SDG&E Comments on the Proposed Decision, at 1 – 2. See also SCE Comments on the Proposed Decision, at 6.

⁷² Workshop Report at B-145.

The following parties take a neutral position: Most CIP parties, Bear Valley, Laguna Beach, Liberty Utilities, and MGRA.

PR 14 is opposed by LACFD, SED, and TURN. SED states that while PR 14 is well intentioned, the text of the proposed Rule 53.5 is vague and unenforceable. The only thing required by PR 14 is that a utility must “take precautions” to guard against leakage currents, but PR 14 does not specify what is intended by “take precautions.” Without such specification, SED states that it cannot establish an enforcement standard for issuing citations. SED is also concerned that the proposed Rule 53.5 applies only to circuits of more than 7,500 volts in Tier 3 fire-threat areas, which could be interpreted to mean that precautions need not be taken elsewhere or for lower-voltage circuits. SED further argues that Rule 53.5 is not needed because the existing Rule 31.1 requires utilities to take precautionary measures against leakage currents burning wood poles and crossarms as a matter of good practice, regardless of whether a pole is located in the High Fire-Threat District.

TURN contends there is insufficient information in the record to determine if PR 14 is reasonable and cost-effective.

4.2.13.3 Discussion

We decline to adopt PR 14. Consistent with SED’s position, we conclude that electric utilities are already required by Pub. Util. Code § 451 and Rule 31.1 to guard against leakage currents burning wood support structures for circuits of all voltages throughout the High Fire-Threat District.⁷³ Today’s Decision

⁷³ Rule 31.1 states in relevant part that for “all particulars not specified in [GO 95], a supply or communications company is in compliance with this rule if it designs, constructs and maintains a facility in accordance with accepted good practice for the intended use and

Footnote continued on next page

includes a Conclusion of Law affirming electric utilities' obligation to take such precautions.

4.2.14. Proposed Regulation 15, Proposed Regulation 16, Alternative Proposed Regulation 16/AP-1, and Alternative Proposed Regulation 16/AP-2 re: GO 95, Rule 80.1-A

4.2.14.1 Summary of Proposals

Rule 80.1-A of GO 95 establishes minimum cycles for patrol and detailed inspections in high fire-threat areas for (i) communication lines located on joint use poles with power lines, and (ii) communication lines attached to a pole that is within three spans of a joint use pole with power lines. Rule 80.1-A(3) defines "patrol inspection" as "a simple visual inspection, of applicable communications facilities equipment and structures that is designed to identify obvious structural problems and hazards." Rule 80.1-A(3) defines "detailed inspection" as "a careful visual inspection of communication facilities and structures using inspection tools such as binoculars and measuring devices, as appropriate." Both types of inspections may be carried out in the course of other business.

The following table shows the current minimum cycles for patrol and detailed inspections specified by Rule 80.1-A(1):⁷⁴

known local conditions." We consider the act of taking precautions to guard against leakage currents burning wood support structures in high fire-threat areas to be an "accepted good practice for the intended used and known local conditions."

⁷⁴ As used here, the term "minimum" refers to the period of time between inspections. The period of time between inspections cannot exceed the "minimum" frequency or cycle.

Table 8		
Rule 80.1-A Inspection Cycles for Communication Lines High Fire-Threat Areas on Interim Maps		
Inspection	Northern California	Southern California
Patrol	2 Years	1 Year
Detailed	10 Years	5 Years

Rule 80.1-A(1) also requires inspection to be conducted more frequently than shown in the above table, if necessary, based on the following factors listed in Rule 80.1-A(2): Fire threat, proximity to overhead power lines, terrain, accessibility, and location.

There are four proposals to modify Rule 80.1-A. These are PR 15, PR 16, PR 16/AP-1, and PR 16/AP-2. Each proposal is summarized below.

PR 15 (SDG&E)

PR 15, proposed by SDG&E, would make several changes to Rule 80.1-A. First, PR 15 would replace references to high fire-threat areas on the Interim Fire-Threat Maps with references to Tiers 2 and 3 of the High Fire-Threat District. Thus, PR 15 would apply the minimum inspection cycles for communication lines to areas according to their designation as either Tier 2 or Tier 3.

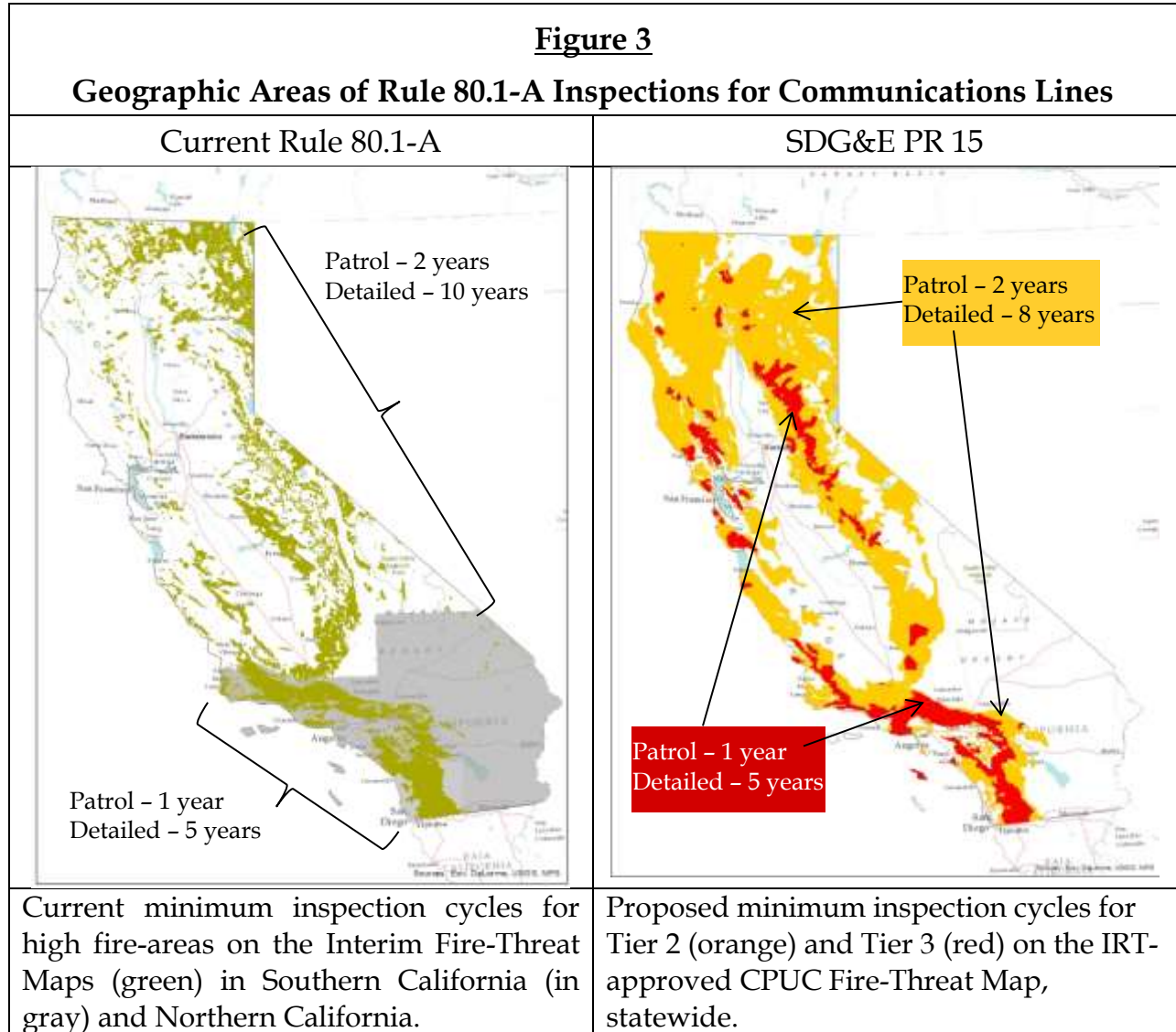
Second, PR 15 would remove reference to Northern California and Southern California, so that minimum inspection cycles would not vary based on whether an area is located in Northern California or Southern California. Instead, PR 15 would apply the current inspection cycle for Northern California to Tier 2 fire-threat areas statewide, and apply the current inspection cycle for Southern California to Tier 3 fire-threat areas statewide.

Finally, PR 15 would reduce the minimum cycle for detailed inspections for Tier 2 from 10 years to 8 years.

The following table compares the current Rule 80.1-A inspection cycles with the revised inspection cycles proposed by SDG&E in PR 15:

Table 9		
Rule 80.1-A Inspection Cycles for Communications Lines		
Current: High Fire-Threat Areas on Interim Maps		
Inspection	Northern California	Southern California
Patrol	2 Years	1 Year
Detailed	10 Years	5 Years
SDG&E's PR 15		
Inspection	Tier 2 Statewide	Tier 3 Statewide
Patrol	2 Years	1 Year
Detailed	8 Years	5 Years

The following maps compare the areas where the inspection cycles in Rule 80.1-A currently apply versus the areas where PR 15's inspection cycles would apply:



The text of SDG&E’s proposed revisions to Rule 80.1-A is contained in Appendix A of today’s Decision. SDG&E recommends that its proposed revisions take effect 12 months after the Commission’s adoption of a High Fire-Threat District Map. SDG&E does not provide an estimate of the costs that would be incurred by CIPs to implement PR 15, but SDG&E anticipates that the cost would be approximately \$3.00 per facility.

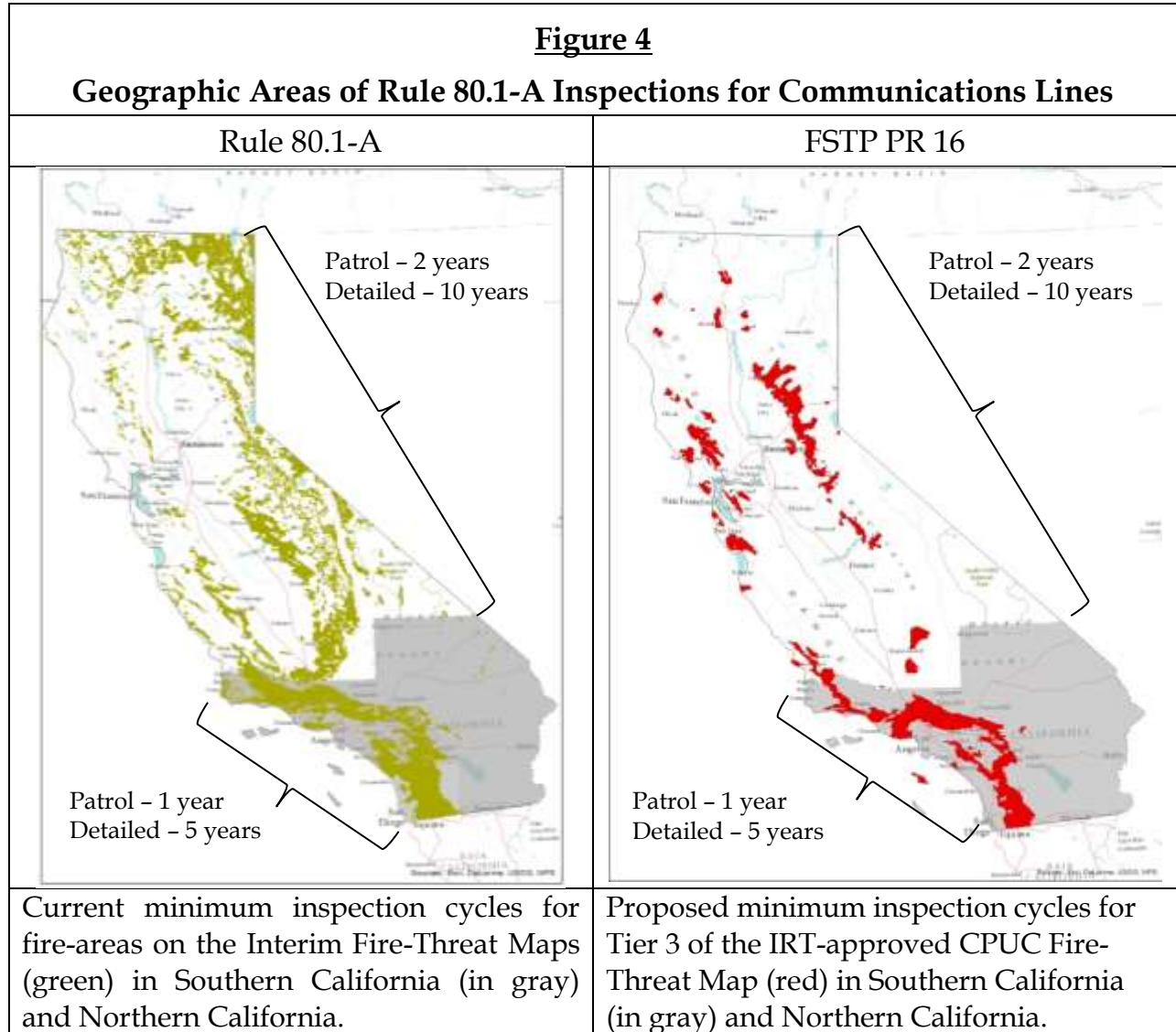
PR 16 (FSTP)

In PR 16, the FSTP proposes to replace the provisions in Rule 80.1-A that pertain specifically to high fire-threat areas on the Interim Fire-Threat Maps with provisions that refer to Tier 3 fire-threat areas of the High Fire-Threat District. PR 16 does not eliminate the current distinction between Northern California and Southern California. PR 16 would also remove redundant text in Rule 80.1-A.

The following table compares the current Rule 80.1-A inspection cycles with the revised inspection cycles proposed by the FSTP in PR 16:

Table 10		
Rule 80.1-A Inspection Cycles for Communications Lines		
Current: High Fire-Threat Areas on Interim Maps		
Inspection	Northern California	Southern California
Patrol	2 Years	1 Year
Detailed	10 Years	5 Years
FSTP's PR 16		
Inspection	Tier 3 Northern California	Tier 3 Southern California
Patrol	2 Years	1 Year
Detailed	10 Years	5 Years

The following maps compare the areas where the inspection cycles in Rule 80.1-A currently apply versus the areas where PR 16's inspection cycles would apply:



The text of the FSTP’s proposed revisions to Rule 80.1-A is in Appendix A of today’s Decision. The FSTP recommends that its proposed revisions take effect 12 months after the Commission’s adoption of a High Fire-Threat District Map. The FSTP did not provide a cost estimate for PR 16.

PR 16/AP-1 (CIP Coalition)

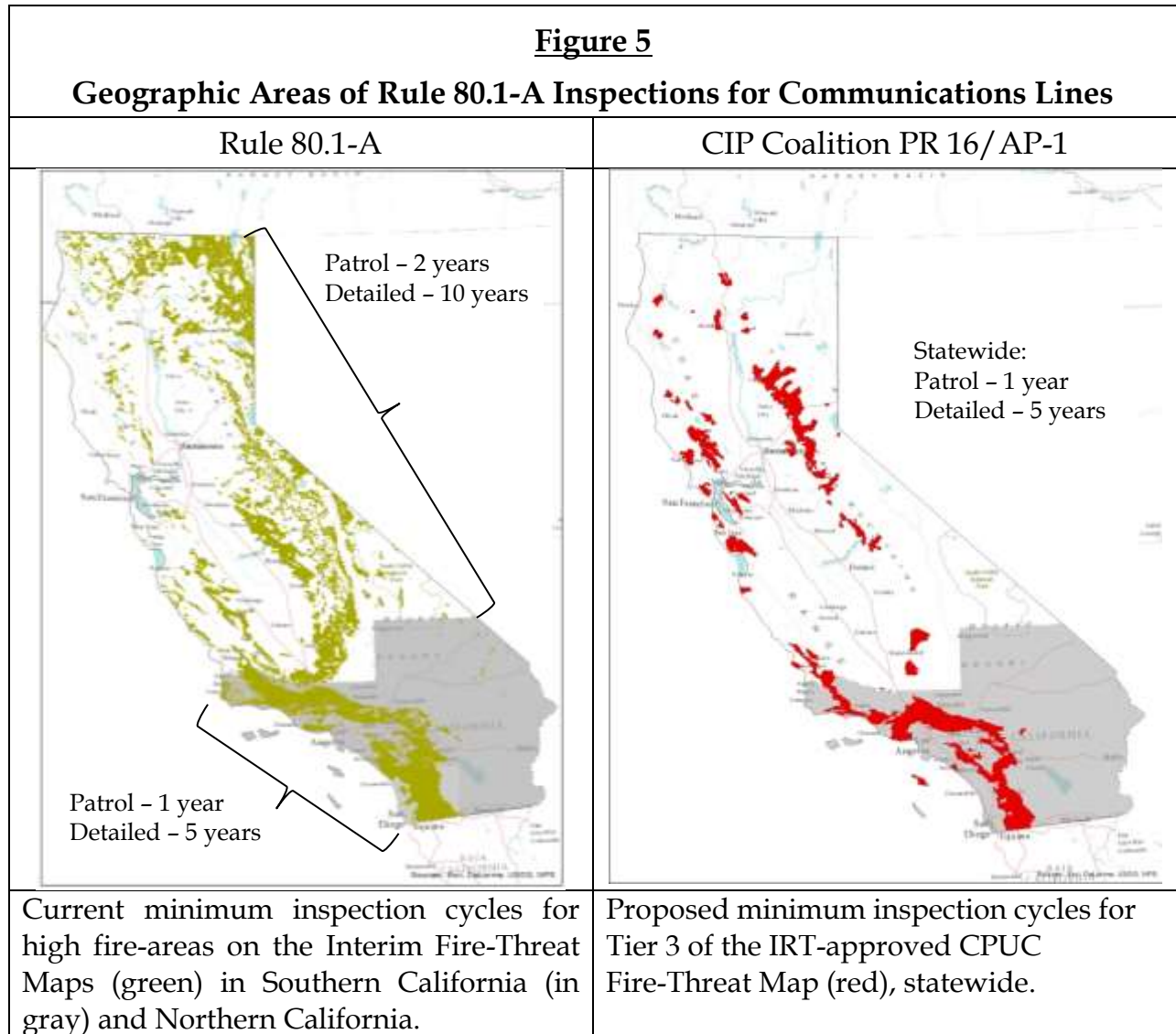
The CIP Coalition’s PR 16/ AP-1 would replace references to the Interim Fire-Threat Maps with references to Tier 3 of the High Fire-Threat District. The

effect of PR 16/ AP-1 would be to apply the current inspection cycles for Southern California high fire-threat areas to Tier 3 fire-threat areas statewide.

The following table compares the current Rule 80.1-A inspection cycles with the revised inspection cycles proposed by the CIP Coalition in PR 16/ AP-1:

Table 11		
Rule 80.1-A Inspection Cycles for Communications Lines		
Current: High Fire-Threat Areas on Interim Maps		
Inspection	Northern California	Southern California
Patrol	2 Years	1 Year
Detailed	10 Years	5 Years
CIP Coalition's PR 16/AP-1		
Inspection	Tier 3 North. Cal.	Tier 3 South. Cal
Patrol	1 Years	1 Year
Detailed	5 Years	5 Years

The following maps compare the areas where the inspection cycles in Rule 80.1-A currently apply versus the areas where PR 16/ AP-1's inspection cycles would apply:



PR 16/ AP-1 would also specify that the type, frequency, and thoroughness of statewide inspections should be based on “[l]ocation, including whether the Communications Lines are located in the High Fire-Threat District” (new language underlined).

The text of the CIP Coalition’s proposed revisions to Rule 80.1-A is in Appendix A of today’s Decision. The CIP Coalition proposes an effective date of 18 months after the Commission adopts the High Fire-Threat District Map. The

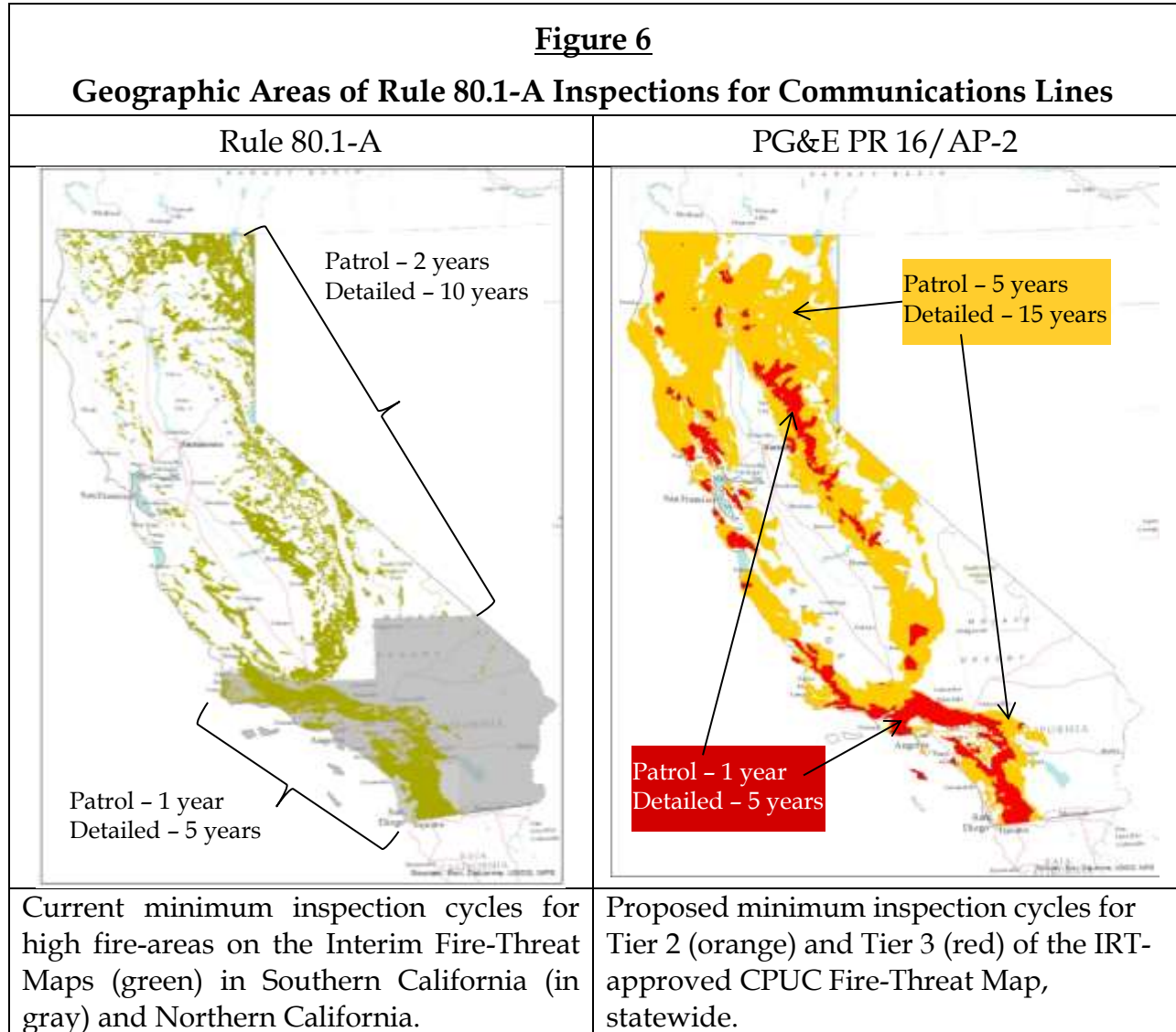
CIP Coalition did not provide a cost estimate or other measure of PR 16/ AP-1’s cost-effectiveness.

PR 16/AP-2 (PG&E)

PG&E’s PR 16/ AP-2 is similar to SDG&E’s PR 15 in that it would establish minimum inspection cycles for Tier 2 and Tier 3 statewide. The following table compares the current Rule 80.1-A inspection cycles with the revised inspection cycles proposed by PG&E in PR 16/ AP-2:

Table 12		
Rule 80.1-A Inspection Cycles for Communications Lines		
Current: High Fire-Threat Areas on Interim Maps		
Inspection	Northern California	Southern California
Patrol	2 Years	1 Year
Detailed	10 Years	5 Years
PG&E’s PR 16/AP2		
Inspection	Tier 2 Statewide	Tier 3 Statewide
Patrol	5 Years	1 Year
Detailed	15 Years	5 Years

The following maps compare the areas where the inspection cycles in Rule 80.1-A currently apply versus the areas where PR 16/ AP-2’s inspection cycles would apply:



PG&E recommends that its proposed revisions to Rule 80.1-A take effect 18 months after the Commission’s adoption of a High Fire-Threat District Map. PG&E did not provide a cost estimate for PR 16/ AP-2.

Summary of Current and Proposed Changes to Minimum Inspection Cycles

The table below compares the current patrol and detailed inspection intervals in Rule 80.1-A and the proposed changes in PR 15, PR 16, PR 16/ AP-1, and PR 16/ AP-2:

Table 13										
Summary of Current and Proposed Minimum Inspection Cycles for Communications Lines in High Fire-Threat Areas										
	Current Rule 80.1-A		PR 15		PR 16		PR 16/ AP-1		PR 16/ AP-2	
Inspection	Nor. Cal.	So. Cal.			Nor. Cal.	So. Cal.				
				Tier 2	Tier 3	Tier 3		Tier 3	Tier 2	Tier 3
Patrol	2 years	1 year	2 years	1 year	2 years	1 year	1 year	5 years	1 year	
Detailed	10 years	5 years	8 years	5 years	10 years	5 years	5 years	15 years	5 years	

All four PRs would make one editorial revision, i.e., delete conflicting definitions of the term “year” in Rule 80.1-A. The Rule first defines “year” as “12 consecutive calendar months starting the first full calendar month after an inspection is performed, plus three full calendar months, not to exceed the end of the calendar year in which the next inspection is due.” Subsequently, Rule 80.1-A defines “year” as “12 consecutive calendar months starting the first full calendar month after an inspection is performed, plus or minus two full calendar months, not to exceed the end of the calendar year in which the next inspection is due.” All four PRs would delete the second definition.

4.2.14.2 Positions of the Parties

PR 15 (SDG&E)

In support of its proposed PR 15, SDG&E asserts that more stringent inspection cycles will help to identify fire risks sooner and thereby minimize the risk of another catastrophic fire event.

Bear Valley, IBEW 1245, LACFD, MGRA, SED, and SMUD support PR 15. These parties’ support is encapsulated in the comments of IBEW 1245, which states that “increased inspection activity in Tier 2 and Tier 3 of the [High

Fire-Threat District] will identify potential problems and help reduce or eliminate fires caused by overhead utility facilities.”⁷⁵

Laguna Beach, CMUA, Liberty Utilities, and SCE take a neutral position with respect to PR 15. Liberty Utilities states that while it generally supports PR 15, the proposal maintains existing text in Rule 80.1-A that gives CIPs discretion to adjust the boundaries of the High Fire-Threat District Map, which Liberty Utilities does not support.

Most CIP parties, LADWP, PacifiCorp, PG&E, and TURN oppose PR 15. The CIP Coalition asserts that PR 15 is flawed because it will require the same inspection cycle over the very large, statewide Tier 2 fire-threat area, despite the markedly variable fire risks in Tier 2. The CIP Coalition is also concerned that PR 15 would increase inspection costs by an estimated 272 percent. This large increase in inspection costs is due mostly to PR 15’s proposed inspection cycle for Tier 2 fire-threat areas. The CIP Coalition contends there is no evidence that frequent inspections in areas with minimal fire risk will enhance safety. Rather it will lead to a significant and unnecessary diversion of resources.

TURN opposes PR 15 on the basis that there is insufficient information in the record to assess the reasonableness and cost-effectiveness of the proposal.

PR 16 (FSTP)

The FSTP’s PR 16 is supported by most CIP parties, IBEW 1245, SCE, and SDG&E. The following parties take a neutral position: Bear Valley, Laguna Beach, Liberty Utilities, and MGRA.

⁷⁵ Workshop Report at B-158.

PR 16 is opposed by the Joint POU's, LACFD, PacifiCorp, PG&E, SED, and TURN. SED opposes PR 16 because it omits inspection cycles for Tier 2 fire-threat areas, and has different inspection cycles in Tier 3 for Northern California vs. Southern California. SED asserts that all of Tier 3 should have the same inspection cycle. TURN contends there is insufficient information to assess the reasonableness and cost-effectiveness of the proposal.

PR 16/AP-1 (CIP Coalition)

In support of its proposed PR 16/AP-1, the CIP Coalition asserts that a uniform inspection cycle is inappropriate for Tier 2 because of great variability of fire risk within Tier 2. The CIP Coalition also contends that it is unnecessary to specify any inspection cycle for Tier 2 because Rule 80.1-A(2) currently requires CIPs to inspect all of their facilities based on local conditions, which includes fire risk and proximity to overhead power lines.

Most CIP parties voted to support PR 16/AP-1. The Joint POU's expressed support in their Joint Comments on the Workshop Report. Bear Valley and Laguna Beach take a neutral position.

The following parties oppose PR 16/AP-1: IBEW 1245, LACFD, most of the Electric IOUs, MGRA, SED, and TURN. IBEW 1245 and SED oppose PR 16/AP-1 because it does not require a minimum inspection cycle for Tier 2 fire-threat areas. TURN contends there is insufficient information to assess the reasonableness and cost-effectiveness of the proposal.

PR 16/AP-2 (PG&E)

PG&E, in support of its proposed PR 16/AP-2, states that documented issues with CIP facilities supports an increase in CIP patrol and detailed inspection cycles generally, but particularly in areas designated Tiers 2 and 3.

The following parties support PR 16/AP-2: CCTA, Charter Communications, Cox Communications, Crown Castle, CTIA, Liberty Utilities, PacifiCorp, PG&E, and Frontier Communications. PacifiCorp states that PR 16/AP-2 is the appropriate middle ground among the four proposals for revising Rule 80.1-A. Liberty Utilities is particularly supportive of PR 16/AP-2's removal of existing text in Rule 80.1-A that provides CIPs with discretion to adjust the boundaries of the fire-threat map. Liberty Utilities also raises a concern with PR 16/AP-2's proposed 15-year cycle for detailed inspections given that the CPUC Fire-Threat Map will be updated every ten years.

The following parties take a neutral position on PR 16/AP-2: AT&T, Bear Valley, Laguna Beach, Comcast, Consolidated Communications, MGRA, SCE, the Small LECs, and T-Mobile. Speaking for many of the CIP parties, the CIP Coalition does not oppose PR 16/AP-2, which it estimates would increase CIP inspection costs by 119 percent. The CIP Coalition recommends, however, that if the Commission is inclined to adopt PR 16/AP-2, the Commission should consider the cost ramifications of the proposed regulation with respect to Tier 2.

PR 16/AP-2 is opposed by IBEW 1245, LACFD, the Joint POU's, SED, SDG&E, and TURN. IBEW 1245 states that a 15-year cycle for detailed inspections in Tier 2 is not prudent. TURN opposes PR 16/AP-2 on the basis that there is insufficient information to assess the reasonableness and cost-effectiveness of the proposal.

4.2.14.3 Discussion

The issue before us is whether to adopt PR 15, PR 16, PR 16/AP-1, or PR 16/AP-2, or any combination thereof. Our objective is to select the option that best enhances fire safety in the High Fire-Threat District at a reasonable cost.

4.2.14.3.1 Tier 3 Inspection Cycles

In Section 4.2.6.3.2 of today's Decision, we adopt PR 7/AP-2 based on our determination that the stricter GO 95 fire-safety regulations that currently apply only to high fire-threat areas in Southern California should apply to Tier 3 of the High Fire-Threat District statewide. For the same reasons stated in Section 4.2.6.3.2, we will apply the stricter inspection cycles of Rule 80.1-A that currently apply only to high fire-threat areas in Southern California to Tier 3 statewide. The effect of today's Decision is to adopt a minimum one-year patrol inspection cycle and a five-year detailed inspection cycle for specified overhead CIP facilities in Tier 3 fire-threat areas statewide.

4.2.14.3.2 Tier 2 Inspection Cycles

The next issue we consider is whether to adopt minimum inspection cycles for Tier 2 of the High Fire-Threat District. A major factor in our deliberation of this issue is that Tier 2 consists of areas that pose an elevated risk for utility-associated wildfires.

We conclude that it is reasonable to amend Rule 80.1-A so that the Rule's minimum frequency for patrol inspections (two years) and detailed inspections (ten years) that currently apply to high fire-threat areas in Northern California shall apply henceforth to Tier 2 fire-threat areas statewide. This will enhance fire safety in two respects. First, an effective way to mitigate utility-related fire risks is to inspect utility facilities regularly and to correct any fire risks that are found. Our adopted amendments to Rule 80.1-A accomplish this objective by establishing a minimum schedule for inspecting specified overhead CIP facilities in Tier 2 fire-threat areas. Any fire risks that are found by such inspections must be prioritized and corrected in accordance with Rule 18.

Second, our adopted amendments to Rule 80.1-A establish a minimum inspection frequency of 2 years (patrol)/10 years (detailed) for Tier 2 fire-threat areas statewide, which covers approximately 57,827 square miles of California. This is more than triple the size of the geographic area where the 2 year/10 year inspection cycle applied prior to today's Decision.⁷⁶ The expanded geographic area will increase the number of inspections in the High Fire-Threat District relative to the status quo and thereby enhance fire safety.

We emphasize that the amended CIP inspection requirements adopted by today's Decision are minimum requirements. CIPs have a statutory duty under Pub. Util. Code § 451 to maintain their facilities in a safe condition at all times. CIPs must inspect their facilities more often than required by today's Decision if doing so is necessary to protect public safety.

We decline to adopt the CIP Coalition's PR 16/ AP-1 to the extent this proposal does not require minimum inspection cycles for Tier 2 fire-threat areas. We conclude that minimum inspection cycles are required to protect public safety in Tier 2 fire-threat areas, which represent areas where there is an elevated risk for utility-associated wildfires.

We acknowledge the CIP Coalition's concern that the minimum inspection cycles adopted by today's Decision will increase inspection costs relative to the status quo. We must keep in mind, however, that CIP facilities located in close proximity to power lines are a latent fire hazard. CIP facilities include bare metal

⁷⁶ *Response of San Diego Gas & Electric Company (U 902-E) to Administrative Law Judge's August 1 Ruling* filed on August 14, 2017, at Attachment A, pages 4-5; *Response of the Peer Development Panel to Administrative Law Judges' October 6, 2017 Ruling – Additional Shape B Map Information* filed on November 20, 2017, at Appendix A, page A-10.

components such as messenger wires, lashing wires, and pole-top antennas. If not installed and maintained properly, CIP facilities could contact power lines and ignite a wildfire. CIP-only poles can also fail, causing a cascade that topples nearby joint-use poles with power lines attached, resulting in wildfires.⁷⁷

In light of this latent fire hazard, we find that aerial CIP facilities located in close proximity to overhead power lines in Tier 2 fire-threat areas must be inspected regularly to protect public safety. This objective is achieved by the minimum inspection cycles adopted by today's Decision. We further conclude that the costs of such inspections are offset by the substantial public-safety benefits provided by such inspections in the form of reducing the risk of utility-associated wildfires occurring.

We decline to adopt PG&E's PR 16/AP-2 to the extent this proposal recommends a 15-year cycle for detailed inspections in Tier 2. The proposed 15-year cycle exceeds the current 10-year cycle for detailed inspections in high fire-threat areas of Northern California on the Interim Fire-Threat Maps. We do not find it prudent to adopt a longer inspection cycle, as it would increase the probability that fire hazards will persist undetected and ignite a wildfire.

4.2.14.3.3 Other Adopted Amendments to Rule 80.1-A

We adopt four additional amendments to Rule 80.1-A. First, we adopt the proposal in PR 16 and PR 16/AP-2 to remove text in Rule 80.1-A that provides CIPs with discretion to "adjust the boundaries of the map." Such discretion may have been warranted for the Interim Fire-Threat Maps, but it is inappropriate and potentially unsafe for the High Fire-Threat District Map.

⁷⁷ D.12-01-032 at 71.

Second, we adopt the proposal in PR 16 to remove redundant text in Rule 80.1-A regarding required elements of utilities' inspection and maintenance programs. The redundant text appears in both section (1) and section (2) of Rule 80.1-A. We will remove the redundant text from section (1).

Third, we adopt the proposal in PR 16/AP-1 to specify that the type, frequency, and thoroughness of statewide inspection requirements should be based on “[l]ocation, including whether the Communications Lines are located in the High Fire-Threat District” (new language underlined).

Finally, we adopt the proposal in all four PRs to delete the definition of the term “year” in Rule 80.1-A that was modified by D.13-06-011.⁷⁸ The unmodified definition of the term “year” is deleted. The modified definition adopted by D.13-06-011 remains.

4.2.15. Proposed Regulation 17 re: GO 95, Rule 80.1-B

4.2.15.1 Summary of Proposal

Rule 80.1-B of GO 95 requires wood poles in high fire-threat areas that support only communication lines to be intrusively inspected in accordance with the schedule established in GO 165 if such poles are:

- Interset between joint-use poles supporting supply lines in the high fire-threat areas of Southern California.
- Within three spans of a joint-use pole supporting supply lines in the high fire-threat areas of Southern California.
- Within one span of a joint-use pole supporting supply lines in the high fire-threat areas of Northern California.

⁷⁸ D.13-06-011 at Ordering Paragraph 1.

D.17-01-009 requires existing fire-safety regulations that apply only to high fire-threat areas on the Interim Fire-Threat Maps to transfer to Tier 3 fire-threat areas of the High Fire-Threat District. To implement this transfer, the FSTP in PR 17 proposes to replace the provisions in Rule 80.1-B that pertain to high fire-threat areas on the Interim Fire-Threat Maps with provisions that refer to Tier 3 fire-threat areas of the High Fire-Threat District.

The text of the FSTP's proposed revisions to Rule 80.1-B is set forth in Appendix A of today's Decision. The FSTP recommends that its proposed revisions to Rule 80.1-B take effect 12 months after the Commission's adoption of the High Fire-Threat District Map. The FSTP did not perform a cost-benefit analysis of its proposed revisions to Rule 80.1-B because the revisions are mandated by D.17-01-009.

4.2.15.2 Positions of the Parties

With the exception of TURN, all of the parties who expressed a position on PR 17 either support the proposal or are neutral with respect to the proposal. TURN opposes PR 17 on the basis that there is insufficient information in the record to assess the cost-effectiveness or reasonableness of the proposal.

4.2.15.3 Discussion

In D.17-01-009, the Commission determined that all existing fire-safety regulations that apply only to specified high fire-threat areas on the Interim Fire-Threat Maps shall transfer to corresponding Tier 3 areas of the High Fire-Threat District.⁷⁹ We will adopt PR 17 because the proposal implements the Commission's directive in D.17-01-009 with respect to Rule 80.1-B.

⁷⁹ D.17-01-009 at Ordering Paragraph 10.

We also adopt one additional amendment to Rule 80.1-B that is not proposed by PR 17. In particular, PR 17 leaves undisturbed a provision in Rule 80.1-B that authorizes CIPs to use their own judgement to determine if local conditions require them to adjust the boundaries of the High Fire-Threat District Map. We eliminated an identical provision in Rule 80.1-A in Section 4.2.14.3.3 of today's Decision. In order to maintain internal consistency in GO 95, we will eliminate the same provision in Rule 80.1-B. The text of Rule 80.1-B, as amended by today's Decision, is contained in Appendix B of today's Decision.

We decline to consider TURN's position that there is insufficient information to assess the reasonableness or cost-effectiveness of PR 17. As stated previously, PR 17 implements the Commission's determination in D.17-01-009 regarding the transfer of existing fire-safety regulations to Tier 3 of the High Fire-Threat District.⁸⁰ We will not revisit our determination here.

4.2.16. Proposed Regulation 18 re: GO 95, Rule 91.1

Rule 91.1 of GO 95 contains provisions regarding the joint use of utility poles. SDG&E's PR 18 proposes to add the following provision to Rule 91.1:

In Tiers 2 and 3 of the High Fire Threat District, all attachments must have the consent of a pole owner or granting authority prior to any construction. Any attachment without consent can be reported to the Commission.

SDG&E's PR 6 proposes an identical amendment to Rule 31.5, which we decline to adopt in Section 4.2.5.3 of today's Decision. Here, we decline to adopt SDG&E's identical amendment to Rule 91.1 for the reasons stated in Section 4.2.5.3 of today's Decision.

⁸⁰ D.17-01-009 at Ordering Paragraph 10.

4.2.17. Proposed Regulation 19 re: GO 95, Appendix E

4.2.17.1 Summary of Proposal

In Section 4.2.6 of today’s Decision, we amend GO 95, Rule 35, Table 1, Case 14 to specify minimum radial clearances between bare line conductors and vegetation throughout the High Fire-Threat District.

Appendix E of GO 95 (“Appendix E”) specifies recommended clearances to be obtained between bare line conductors and vegetation at the time vegetation is trimmed (“time-of-trim clearances”). One purpose of Appendix E’s recommended time-of-trim clearances is to ensure that there is no breach of the minimum clearances required by Case 14 during the period between trims.

SDG&E’s PR 19 proposes to amend Appendix E to increase the recommended time-of-trim clearances applicable to Case 14. The following table lists the current and proposed recommended time-of-trim clearances:

Table 14 GO 95, Appendix E Recommended Time-of-Trim Clearance for GO 95, Rule 35, Table 1, Case 14 High Fire-Threat District		
Voltage of Line	Current	Proposed by PR 19
Radial clearances for any conductor of a line operating at 2,400 or more volts, but less than 72,000 volts	6.5 feet	12 feet
Radial clearances for any conductor of a line operating at 72,000 or more volts, but less than 110,000 volts	10 feet	20 feet
Radial clearances for any conductor of a line operating at 110,000 or more volts, but less than 300,000 volts	20 feet	30 feet
Radial clearances for any conductor of a line operating at 300,000 or more volts	20 feet	30 feet

The text of SDG&E’s proposed revisions to Appendix E of GO 95 is set forth in Appendix A of today’s Decision. SDG&E recommends that PR 19 take

effect 12 months after the Commission's adoption of a High Fire-Threat District Map. SDG&E did not provide a cost estimate for PR 19, but expects that any cost impacts on CIPs and electric utilities will be negligible.

4.2.17.2 Positions of the Parties

SDG&E submits that PR 19 will enhance safety by increasing the distance between trees and power lines at the time-of-trim. It will also reduce the time and money needed to maintain the vegetation clearances of Case 14, since utilities would not need to trim trees as frequently.

IBEW 1245, PG&E, and SCE support PR 19 because they believe it will enable utilities to obtain a greater safety margin for conductor-vegetation clearances in the High Fire-Threat District.

Most parties are neutral with respect to PR 19, including a majority of the CIP parties, Bear Valley, Laguna Beach, LACFD, Liberty Utilities, MGRA, PacifiCorp, and SED.

The Joint POUs and TURN oppose PR 19, arguing that SDG&E's claim that the costs of PR 19 will be negligible is not supported by facts in the record. The Joint POUs raise an additional concern that a one-size-fits-all approach to increasing vegetation clearances throughout the High Fire-Threat District creates a standard that may be impossible to meet, particularly in situations where the utility lacks sufficient property rights to expand its vegetation clearing.

4.2.17.3 Discussion

The issue before us is whether to adopt PR 19. Our standard for deciding this issue is whether PR 19 will enhance fire safety in the High Fire-Threat District at a reasonable cost.

We agree with SDG&E that adopting PR 19 will help electric utilities to maintain safe clearances between vegetation and power lines in the High Fire-

Threat District. We do not anticipate that adopting PR 19 will increase tree maintenance costs substantially. As SDG&E suggests, PR 19 could reduce the frequency of trimming that is necessary to comply with the Case 14 minimum clearances and thereby reduce vegetation management costs. But to the extent that costs do increase, we conclude that such costs are offset by the substantial public-safety benefits of keeping bare line conductors clear of vegetation in the High Fire-Threat District, which our adoption of PR 19 will help to facilitate.

For the preceding reasons, we conclude that it is in the public interest to adopt PR 19. We acknowledge the Joint POU's concern that the increased recommended time-of-trim clearances adopted by today's Decision for the High Fire-Threat District may be impossible to meet in some cases. We note that Appendix E does not require electric utilities to achieve compliance when it is impossible to do so. Rather, it states that recommended clearances "**should be established**, at time of trimming, between the vegetation and the energized conductors and associated live parts **where practicable**." (Emphasis added.)

4.2.18. Proposed Regulation 20, Alternative Proposed Regulation 20/AP-1, and Alternative Proposed Regulation 20/AP-2 re: GO 165, Table 1

4.2.18.1 Summary of Proposals

Table 1 of GO 165 ("GO 165") requires electric utilities to conduct a patrol inspection of their overhead electric utility distribution facilities every two years in rural areas,⁸¹ and every year in rural areas of Southern California that are also

⁸¹ GO 165 defines "rural" as "those areas with a population of less than 1,000 persons per square mile as determined by the United States Bureau of the Census."

high fire-threat areas on the Interim Fire-Threat Maps. There are three proposals to revise GO 165. Each proposal is summarized below.

PR 20 (FSTP)

The FSTP's PR 20 would amend GO 165 to replace references to the Interim Fire-Threat Maps with references to Tier 3 of the High Fire-Threat District. The effect of PR 20 is to require an annual patrol inspection of overhead electric utility distribution facilities in rural areas in Southern California that are also Tier 3 fire-threat areas of the High Fire-Threat District.

The text of the FSTP's proposed amendments to GO 165 is contained in Appendix A of today's Decision. The FSTP recommends that PR 20 take effect 12 months after the Commission's adoption of the High Fire-Threat District Map. The FSTP did not provide a cost estimate for implementing PR 20 because the High Fire-Threat District Map is not yet complete.

PR 20/AP-1 (SED)

SED's PR 20/AP-1 would amend GO 165 to require an annual patrol inspection of overhead electric utility distribution facilities located in rural areas of Tier 2 and Tier 3 of the High Fire-Threat District statewide.

The text of SED's proposed amendments to GO 165 is contained in Appendix A of today's Decision. SED recommends that PR 20/AP-1 take effect 12 months after the Commission's adoption of the High Fire-Threat District Map. SED did not provide an estimate of the costs that electric utilities would incur to implement PR 20/AP-1. Nonetheless, SED believes that the costs would be far outweighed by the public-safety benefits of reducing the risk of catastrophic utility-associated wildfires in areas where there is an elevated risk (Tier 2) or extreme risk (Tier 3) for such wildfires.

PR 20/AP-2 (PacifiCorp)

PacifiCorp's PR 20/ AP-2 would amend GO 165 to require an annual patrol inspection of overhead electric utility distribution facilities located in rural areas of Tier 3 of the High Fire-Threat District statewide (but not Tier 2 statewide).

The text of PacifiCorp's proposed amendments to GO 165 is contained in Appendix A of today's Decision. PacifiCorp recommends PR 20/ AP-2 take effect on January 1 of the next full calendar year after the rule is adopted. PacifiCorp estimates that for its own service territory, PR 20/ AP-2 would increase its inspection costs by approximately \$16,000 to \$20,000 per year. PacifiCorp did not provide a cost estimate for other service territories.

4.2.18.2 Positions of the Parties

PR 20

The FSTP submitted PR 20 to implement the requirement established by D.17-01-009 to transfer existing fire-safety regulations that apply only to high fire-threat areas on the Interim Fire-Threat Maps to corresponding Tier 3 fire-threat areas of the High Fire-Threat District. The FSTP adds that PR 20 is in the public interest because it will continue the requirement to conduct an annual patrol inspection of overhead electric utility distribution facilities in rural high fire-threat areas of Southern California.

PR 20 is supported by Bear Valley, IBEW 1245, Liberty Utilities, PacifiCorp, PG&E, and SCE. Most supporters have little to say about PR 20. Liberty Utilities, the most loquacious of the supporters, states that PR 20 is not cost-prohibitive and protects fire safety in the most fire-prone areas of the State.

The following parties take a neutral position regarding PR 20: Most of the CIP parties, the Joint POUs, Laguna Beach, MGRA, and SDG&E.

PR 20 is opposed by LACFD, SED, and TURN. LACFD did not submit written comments. SED states that PR 20 does not adequately protect public safety because the proposed regulation applies only to Tier 3 fire-threat areas in Southern California. SED recommends much broader geographic coverage in SED's PR 20/AP-1.

TURN argues there is insufficient information to assess whether the costs that utilities will incur to implement PR 20 are reasonable. TURN states that under California law, all utility spending must be justified under Pub. Util. Code § 454(a) and meet the just and reasonable standard of § 451. TURN claims that PR 20 does not meet these statutory requirements because the FSTP did not provide a cost estimate or cost-benefit analysis for PR 20.

PR 20/AP-1

SED submits that PR 20/AP-1 will enhance fire safety because the proposed rule will ensure that overhead electric utility distribution facilities located in rural areas where there is elevated risk (Tier 2) or extreme risk (Tier 3) for utility-related wildfires are inspected annually.

PR 20/AP-1 is supported by LACFD and IBEW 1245. LACFD did not submit written comments. IBEW 1245 opines that SED's justification for increased patrol inspections is compelling.⁸²

The following parties take a neutral position regarding PR 20/AP-1: Most of the CIP parties, the Joint POUs, Laguna Beach, MGRA, and SDG&E.

The following parties oppose PR 20/AP-1: Bear Valley, Liberty Utilities, PG&E, PacifiCorp, SCE, and TURN. The Electric IOU opponents note that

⁸² The Workshop Report mistakenly placed IBEW 1245's comments in support of SED's PR 20/AP-1 in the section of the Report that contains comments in support of the PR 20.

GO 165 currently requires biennial patrol inspections of overhead electric utility distribution facilities in rural areas statewide. They contend that requiring annual patrol inspections in Tier 2 fire-threat areas statewide, as recommend by SED in PR 20/ AP-1, would increase their inspection costs significantly with little benefit to public safety. On the other hand, these same opponents do not object to annual patrol inspections in rural Tier 3 fire-threat areas statewide as recommend by PacifiCorp in PR 20/ AP-2.

TURN contends that utility expenditures for fire safety must be supported by the record, justified, and reasonable pursuant to Pub. Util. Code §§ 451 and 454(a). TURN notes that the proponent of PR 20/ AP-1, SED, did not provide a cost-benefit analysis for this proposed regulation.

TURN believes that PR 20/ AP-1 could significantly increase costs for ratepayers because the proposed rule would vastly expand the geographic area where annual patrol inspections are required. TURN recommends that because of the potentially significant costs, and the lack of a cost-benefit analysis, the Commission should not adopt PR 20/ AP-1 at this time.

PR 20/AP-2

PacifiCorp avers that although its PR 20/ AP-2 may increase costs for ratepayers, the cost-benefit outcome is favorable. PacifiCorp states that PR 20/ AP-2 will enable ratepayer funds to be used efficiently to target fire-safety efforts in the geographic areas of the State most at risk for utility-caused fire damage, *i.e.*, in Tier 3 fire-threat areas. PacifiCorp adds that PR 20/ AP-2 balances the public interest in reducing fire hazards in the areas of greatest risk without unduly burdening ratepayers with the cost of deploying additional patrol inspections more widely across the State.

PR 20/AP-2 is supported by Bear Valley, PG&E, and SCE. In general, the supporters agree with PacifiCorp that it is reasonable to focus patrol inspections on Tier 3 fire-threat areas.

The following parties take a neutral position regarding PR 20/AP-2: Most of the CIP parties, the Joint POU's, IBEW 1245, Laguna Beach, Liberty Utilities, MGRA, and SDG&E. Liberty Utilities, the only neutral party to offer comments on PR 20/AP-2, states that although it generally supports the proposed regulation, it is not possible to determine how costly or feasible the regulation will be in Liberty Utilities' service territory until the map for Tier 3 is finalized. Until then, Liberty Utilities withholds its support.

PR 20/AP-2 is opposed by LACFD, SED, and TURN. LACFD did not comment on this matter. SED comments that although expanding the annual patrol inspection requirement to rural Tier 3 areas statewide is a necessary step, it is not sufficient. SED asserts that the annual patrol inspection requirement should apply to rural Tier 2 areas statewide, too, as recommended by SED in PR 20/AP-1. TURN asserts that there is insufficient information to determine if PR 20/AP-2 is cost-effective or reasonable.

4.2.18.3 Discussion

The issue before us is whether to adopt PR 20, PR 20/AP-1, or PR 20/AP-2, or some combination thereof. Our objective is to select the option that best enhances fire safety in the High Fire-Threat District at a reasonable cost.

For the reasons set forth below, we conclude that it is in the public interest to adopt SED's PR 20/AP-1. This has the effect of amending GO 165 to require electric utilities to conduct an annual patrol inspection of their overhead electric utility distribution facilities in rural Tier 2 and Tier 3 fire-threat areas statewide.

Overhead electric utility distributions facilities pose an ever-present hazard for ignitions. It is essential that such facilities be maintained in good condition to mitigate the risk of utility-associated wildfires.⁸³ Extra vigilance in the form of annual patrol inspections is warranted in rural Tier 2 and Tier 3 fire-threat areas, where there is an elevated or extreme risk for utility-associated wildfires, to ensure that overhead electric utility distribution facilities in such areas are maintained in good condition.

We recognize that today's Decision significantly expands the geographic area that is subject to GO 165's annual patrol inspection requirement, which will undoubtedly increase inspection costs for electric utilities. However, we conclude the costs will not be unduly burdensome for the following reasons. First, the scope of a patrol inspection is limited. GO 165 defines a patrol inspection as:

“Patrol inspection” shall be defined as a simple visual inspection, of applicable utility equipment and structures, that is designed to identify obvious structural problems and hazards. Patrol inspections may be carried out in the course of other company business. (Bold highlight in GO 165.)

Because of the limited scope of patrol inspections, the cost of conducting a patrol inspection is modest. SDG&E estimates the cost is approximately \$3.00 per facility, including labor time, salary of the employee, and vehicle/fuel costs.⁸⁴

⁸³ See, e.g., SDG&E Comments (July 31, 2017) at 2: “Fire ignition risk can be reduced by adequately maintaining overhead facilities in the High Fire-Threat District. Equipment failures and consequent risks of ignition sources) may be avoided by timely inspection, and appropriate maintenance cycles/methods.”

⁸⁴ Workshop Report at B-156.

Second, California has an estimated 4.2 million utility poles,⁸⁵ which suggests that the incremental statewide cost of the patrol inspection cycle adopted by today's Decision will be in the range of \$12.6 million annually (\$3.00 per pole x 4.2 million). However, GO 165 already requires an annual patrol inspection of overhead electric utility distribution facilities located in urban areas⁸⁶ where the majority of overhead electric utility distribution infrastructure is concentrated.⁸⁷ This suggests that the statewide incremental cost of the patrol inspection requirement adopted by today's Decision (which applies to rural areas in Tier 2 and Tier 3) may be less than \$12.6 million annually.

Third, Electric IOUs currently recover in rates the just and reasonable costs they incur to conduct annual patrol inspections of overhead electric utility distribution facilities in urban areas mandated by GO 165. We conclude that the costs of annual patrol inspections in rural Tier 2 and Tier 3 fire-threat areas is equally just and reasonable (following Commission review and approval).

Finally, we find that the cost of the annual patrol inspection requirement adopted by today's Decision is offset by the substantial public-safety benefits⁸⁸ that the annual inspections provide by reducing the risk of utility-associated wildfires occurring in Tier 2 (elevated) and Tier 3 (extreme) fire-threat areas, such

⁸⁵ Combined Order Instituting Investigation 17-06-027 and Order Instituting Rulemaking 17-06-028 at 2. ("OII 17-06-027/OIR 17-06-028").

⁸⁶ GO 165 defines "urban" as "those areas with a population of more than 1,000 persons per square mile as determined by the United States Bureau of the Census."

⁸⁷ Prior to today's Decision, GO 165 required an annual patrol inspection of overhead electric distribution facilities in rural high fire-threat areas of Southern California on the Interim Fire-Threat Maps. Today's Decision should cause little or no increase in the cost of patrol inspections for most or all facilities.

⁸⁸ OII 17-06-027/OIR 17-06-028 at 8-12 discusses pole safety.

as the catastrophic power-line fires of October 2007. The Commission and ratepayers are still dealing with the cost of these wildfires today.⁸⁹

The provisions of GO 165 that are amended by today's Decision are set forth in Appendix B of today's Decision.

4.2.19. Proposed Regulation 21 and Alternative Proposed Regulation 21/AP-1 re: GO 166, Standard 1, Part E

4.2.19.1 Summary of Proposals

GO 166, Standard 1, Part E, requires those Electric IOUs identified below to prepare a fire-prevention plan that:

- A. Lists and describes the measures the electric utility intends to implement, both in the short run and in the long run, to mitigate the threat of power-line fires generally and in the specific situation where all three of the following conditions occur simultaneously: (i) The force of 3-second wind gusts exceeds the structural or mechanical design standards for the affected overhead power-line facilities, (ii) these 3-second gusts occur during a period of high fire danger, and (iii) the affected facilities are located in a high fire-threat area. A utility's fire-prevention plan may address other situations than required by this GO 166, but not in lieu of GO 166.
- B. Identifies the specific parts of the electric utility's service territory where all three of the fire-weather conditions listed in Item A, above, may occur simultaneously. In making this determination, the utility shall use a minimum probability of 3% over a 50-year period that 3-second wind gusts which exceed

⁸⁹ See, for example, Application 15-09-010 wherein SDG&E seeks authority to recover from its ratepayers \$379 million of uninsured costs stemming from the October 2007 wildfires. The \$379 million represents a fraction of the \$2.4 billion in total costs and legal fees incurred by SDG&E to resolve third-party damage claims arising from the October 2007 wildfires.

the design standards for the affected facilities will occur during a Red Flag Warning in a high fire-threat area on the Interim Fire-Threat Maps.

The GO 166 requirement to prepare a fire-prevention plan applies to: (1) Electric IOUs in Imperial, Los Angeles, Orange, Riverside, Santa Barbara, San Bernardino, San Diego, and Ventura counties; and (2) Electric IOUs in all other counties with overhead electric facilities located in areas of high fire risk as determined by such utilities in accordance with D.12-01-032.

There are two proposals to revise GO 166, Standard 1, Part E (“GO 166”). Each proposal is summarized below.

PR 21 (FSTP)

The FSTP’s PR 21 proposes two amendments to GO 166. First, PR 21 would replace the provisions in GO 166 that reference the Interim Fire-Threat Maps with references to Tier 3 of the High Fire-Threat District. Second, GO 166 currently requires Electric IOUs in Northern California⁹⁰ to prepare a fire-prevention plan if certain conditions are met. PR 21 would instead require Electric IOUs in Northern California to prepare a fire-prevention plan if they have overhead electric facilities in Tier 3 of the High Fire-Threat District.

The text of the FSTP’s proposed amendments to GO 166 is contained in Appendix A of today’s Decision. The FSTP recommends that its proposed amendments take effect 12 months after the Commission’s adoption of the High Fire-Threat District Map. The FSTP did not provide a cost estimate for PR 21 because the High Fire-Threat District Map is not yet complete.

⁹⁰ The term “Northern California” used in today’s Decision refers to all counties in California except the following eight counties in Southern California: Imperial, Los Angeles, Orange, Riverside, Santa Barbara, San Bernardino, San Diego, and Ventura counties.

PR 21/AP-1 (SED)

SED's PR 21/AP-1 would amend GO 166 so that the requirement to prepare the GO 166 fire-prevention plan applies to every Electric IOU that has overhead facilities in the High Fire-Threat District (Zone 1, Tier 2, and Tier 3).

The text of SED's proposed amendments to GO 166 is contained in Appendix A of today's Decision. SED recommends that its proposed amendments take effect 12 months after the Commission's adoption of the High Fire-Threat District Map. SED did not provide a cost estimate for PR 21/AP-1, but SED does not believe the costs would be significant because most electric utilities already submit fire-prevention plans pursuant to GO 166.

4.2.19.2 Positions of the Parties

PR 21

The FSTP submits that PR 21 is in the public interest because it continues the requirement to prepare a fire-prevention plan established in R.08-11-005 and extends this requirement to Electric IOUs in Northern California. PR 21 also implements the Commission's determination in D.17-01-009 that existing fire-safety regulations that apply only to specified high fire-threat areas on the Interim Fire-Threat Maps shall transfer to specified Tier 3 fire-threat areas of the High Fire-Threat District.

PR 21 is supported by Bear Valley, Liberty Utilities, PacifiCorp, PG&E, SCE, and SDG&E. In general, the supporters believe that PR 21's proposed amendments to GO 166 will protect public safety at a reasonable cost.

The following parties take a neutral position: Most of the CIP parties, CCTA, Laguna Beach, IBEW 1245, LADWP, MGRA, SMUD, and TURN.

PR 21 is opposed by LACFD and SED. SED's thesis is that the existing regulations that apply only to the high fire-threat areas on the Interim

Fire-Threat Maps should apply automatically to all Tier 2 and Tier 3 fire-threat areas of the High Fire-Threat District.

PR 21/AP-1

SED states that PR 21/AP-1 is in the public interest because it would require all Electric IOUs with overhead electric facilities in the High Fire-Threat District to prepare a fire-prevention plan for said facilities.

PR 21/AP-1 is supported by IBEW 1245, LACFD, and SDG&E. IBEW 1245 opines that SED's argument regarding the public interest makes sense.⁹¹

The following parties take a neutral position: Most of the CIP parties, Bear Valley, CCTA, Laguna Beach, LADWP, MGRA, and SMUD.

PR 21/AP-1 is opposed by Liberty Utilities, PacifiCorp, PG&E, SCE, and TURN. Liberty Utilities asserts that requiring it to prepare a fire-prevention plan that covers nearly all of its service territory would drastically increase costs. PG&E, SCE, and TURN assert that SED has not demonstrated that PR 21/AP-1 will yield tangible benefits.

4.2.19.3 Discussion

We first discuss the FSTP's PR 21 followed by SED's PR 21/AP-1. Our standard for deciding whether to adopt these proposed regulations is whether they will enhance fire safety in the High Fire-Threat District at a reasonable cost.

4.2.19.3.1 PR 21

In D.17-01-009, the Commission determined that all existing fire-safety regulations that apply only to specified high fire-threat areas on the Interim Fire-Threat Maps shall transfer to specified Tier 3 areas of the High Fire-Threat

⁹¹ The Workshop Report erroneously places IBEW 1245's comments supporting SED's PR 21/AP-1 in a section devoted to comments supporting the FSTP's PR 21.

District. The Commission further held that parties could present recommendations in the current proceeding for refining the areas of the High Fire-Threat District where the transferred regulations should apply.⁹²

We will adopt PR 21 because it implements the Commission's directive in D.17-01-009 with respect to GO 166. Our adoption of PR 21 does not preclude our considering SED's PR 21/AP-1, which we address next.

4.2.19.3.2 PR 21/AP-1

We conclude that it is in the public interest to adopt SED's recommendation in PR 21/AP-1 to amend GO 166 to:

1. Require every Electric IOU with overhead electric facilities in the High Fire-Threat District to prepare a fire-prevention plan that lists and describes the measures the electric utility intends to implement, both in the short run and in the long run, to mitigate the threat of power-line fires generally.
2. Require the fire-prevention plan to address the specific situation where all three of the following conditions occur simultaneously: (i) The force of 3-second wind gusts exceeds the structural or mechanical design standards for the affected overhead power-line facilities, (ii) these 3-second gusts occur during a period of high fire danger, and (iii) the affected facilities are located in the High Fire-Threat District.

California has a history of catastrophic utility-associated wildfires, some of which have occurred in Northern California. Statistics maintained by CAL FIRE show that power lines ignited 4 of the 20 most destructive fires in California history (i.e., the Witch, Butte, City of Berkeley, and Laguna fires).⁹³ Two of these

⁹² D.17-01-009 at 52 and 56, and Ordering Paragraph 10.

⁹³ The cited statistics do not reflect the Northern California wildfires in October 2017 or the Southern California wildfires in December 2017.

fires occurred in Northern California (i.e., the Butte Fire in Amador and Calaveras Counties, and the City of Berkeley Fire in Alameda County). CAL FIRE's statistics further show that two of the largest fires in California history were ignited by power lines (i.e., the Witch Fire and Campbell Complex Fire). One of these fires occurred in Northern California (i.e., the Campbell Complex Fire in Tehama County). Finally, CAL FIRE's statistics show that 2 of the 20 most deadly wildfires in California history were ignited by power lines (i.e., the Laguna Fire and Clampitt Fire). Both of these fires were in Southern California.⁹⁴

In order to prevent utility-associated wildfires going forward, it is essential to (1) identify areas where there is a heightened risk for such wildfires, and (2) prepare and implement a plan to prevent such wildfires. This objective is achieved by the amendments to GO 166 adopted by today's Decision, which require each Electric IOU to prepare and implement a plan to prevent utility-associated fires in the portion of its service territory that is in the High Fire-Threat District.

We expect that any incremental costs incurred by Electric IOUs to prepare the fire-prevention plan required by GO 166, as amended by today's Decision, will be modest. This is because Electric IOUs are already required to prepare a fire-prevention plan pursuant to GO 166 and/or Pub. Util. Code § 8386(b). More

⁹⁴ The cited CAL FIRE statistics are available at http://cdfdata.fire.ca.gov/incidents/incidents_statsevents. We take official notice of these statistics as a legislative fact (i.e., a general fact that helps the tribunal decide questions of law, policy, and discretion) pursuant to Rule 13.9 of the Commission's Rules of Practice and Procedure and Cal. Evidence Code § 451(f). The Commission may also take official notice of the documents of another agency as the basis for predictive, judgmental facts. (D.00-07-017 at 199, Footnote 91.)

specifically, prior to today's Decision, GO 166 required every Electric IOU in Southern California to file a fire-prevention plan annually, and required Electric IOUs in Northern California to file a fire-prevention plan annually if certain conditions were met. Two Electric IOUs in Northern California - Liberty Utilities and PG&E - have each filed a fire-prevention plan annually pursuant to GO 166 since 2013.⁹⁵

The cost impacts of the adopted amendments are further mitigated by the fact that the geographic scope of the GO 166 fire-prevention plan is reduced by today's Decision. Prior to today's Decision, the GO 166 fire-prevention plan applied to the Electric IOU's entire service territory.⁹⁶ In contrast, GO 166 as amended by today's Decision, limits the geographic scope of the GO 166 fire-prevention plan to the High Fire-Threat District. This suggests that the costs incurred by Electric IOUs to comply with GO 166 could decrease because of the amendments adopted by today's Decision.

Complementing GO 166 is Pub. Util. Code § 8386 that became effective on January 1, 2017. Section 8386(b) requires every Electric IOU to "annually prepare and submit [to the Commission] a wildfire mitigation plan... [that includes a] description of preventive strategies and programs to be adopted by the electrical corporation to minimize the risk of its electrical lines and equipment causing catastrophic wildfires." Sections 8386(c) - (d) require the Commission to review

⁹⁵ Resolution E-4576, dated May 23, 2013.

⁹⁶ Resolution E-4576, dated May 23, 2013, at 2 and 16, Finding 2, and Ordering Paragraph 3.

the submitted wildfire-mitigation plans and to audit compliance with the wildfire-mitigation plans.⁹⁷

We conclude that the modest incremental costs, if any, that are incurred by Electric IOUs to prepare and implement the fire-prevention plan required by GO 166, as amended by today's Decision, are offset by the substantial public-safety benefits associated with the fire-prevention plan. The provisions of GO 166 that are amended by today's Decision are set forth in Appendix B of today's Decision. Our adopted amendments include the retention of the phrase "high fire-threat areas are areas designated as....," which SED appears to have deleted inadvertently in its proposed amendments to GO 166.

4.2.20. Proposed Regulation 22 re: Electric Tariff Rule 11

4.2.20.1 Summary of Proposal

Electric Tariff Rule 11 ("Tariff Rule 11") specifies the conditions pursuant to which an Electric IOU may disconnect service to a customer or property owner who obstructs the Electric IOU's access to overhead power lines for vegetation management activities. PR 22, proposed by PG&E, would make several modifications to Tariff Rule 11. First, Tariff Rule 11 currently allows Electric IOUs to disconnect service only when there is a breach of the minimum vegetation clearances required by Rule 35, Table 1, Cases 13 and 14 (hereafter, "Rule 35"). PR 22 would also allow Electric IOUs to disconnect service when:

⁹⁷ GO 166, as amended by today's Decision, and § 8386(b) are complementary because (i) the GO 166 fire-prevention plan is limited to the High Fire-Threat District while the § 8386(b) wildfire-mitigation plan applies to the entire service territory; and (ii) the GO 166 fire-prevention plan applies to all utility-associated fires, with a focus on the prevention of catastrophic power-line wildfires, while the § 8386(b) wildfire-mitigation plan is focused specifically on catastrophic wildfires.

- There is “an imminent threat of a breach” of the minimum vegetation clearances required by Rule 35.
- There are dead, rotten, or diseased trees or dead, rotten or diseased portions of otherwise healthy trees that overhang or lean toward and may contact or fall onto a span of supply or communications lines.
- During fire season in State Responsibility Areas (“SRAs”), there is a breach or imminent threat of breach of the minimum vegetation clearances required Cal. Pub. Res. Code §§ 4292⁹⁸ and 4293.⁹⁹

⁹⁸ Cal. Pub. Res. Code §4292 states in part: “Except as otherwise provided in Section 4296, any person that owns, controls, operates, or maintains any electrical transmission or distribution line upon any mountainous land, or forest-covered land, brush-covered land, or grass-covered land shall, during such times and in such areas as are determined to be necessary by the director or the agency which has primary responsibility for fire protection of such areas, maintain around and adjacent to any pole or tower which supports a switch, fuse, transformer, lightning arrester, line junction, or dead end or corner pole, a firebreak which consists of a clearing of not less than 10 feet in each direction from the outer circumference of such pole or tower. This section does not, however, apply to any line which is used exclusively as telephone, telegraph, telephone or telegraph messenger call, fire or alarm line, or other line... classed as a communication circuit by the Public Utilities Commission.”

⁹⁹ Cal. Pub. Res. Code § 4293 states in part: “Except as otherwise provided in Sections 4294 to 4296, inclusive, any person that owns, controls, operates, or maintains any electrical transmission or distribution line upon any mountainous land, or in forest-covered land, brush-covered land, or grass-covered land shall, during such times and in such areas as are determined to be necessary by the director or the agency which has primary responsibility for the fire protection of such areas, maintain a clearance of the respective distances which are specified in this section in all directions between all vegetation and all conductors which are carrying electric current:

(a) For any line which is operating at 2,400 or more volts, but less than 72,000 volts, four feet.

(b) For any line which is operating at 72,000 or more volts, but less than 110,000 volts, six feet.

(c) For any line which is operating at 110,000 or more volts, 10 feet..

Dead trees, old decadent or rotten trees, trees weakened by decay or disease and trees or portions thereof that are leaning toward the line which may contact the line from the side or may fall on the line shall be felled, cut, or trimmed so as to remove such hazard.”

Second, Tariff Rule 11 currently allows an Electric IOU to disconnect service throughout its service territory (when specified conditions are met). PR 22 would limit the Electric IOU's authority to disconnect service to Tier 2 and Tier 3 of the High Fire-Threat District.

Finally, PR 22 would modify Tariff Rule 11's notice requirements to replace the reference to "the then current procedures and notice requirements applicable to discontinuance of service for non-payment" with a new process that is focused on the circumstances applicable to disconnection for refusal to provide access for vegetation management activities.

The text of PG&E's proposed amendments to Tariff Rule 11 is contained in Appendix A of today's Decision. PG&E did not provide a cost estimate for PR 22, but opines that the public-safety benefits outweigh the costs incurred by Electric IOUs. To implement PR 22, PG&E recommends that Electric IOUs submit a Tier 1 advice letter no later than 90 days after the Commission issues a decision adopting PR 22.

4.2.20.2 Positions of the Parties

PG&E asserts that it is in the public interest to adopt PR 22 because of the difficulty that Electric IOUs experience in complying with the vegetation clearances mandated by Rule 35. PG&E explains that in order to comply with Rule 35, PG&E has to trim or remove 1.5 - 2.0 million trees per year, which equates to thousands of trees per day. PG&E represents that it is not uncommon for customers to refuse access to their property or otherwise prevent PG&E from trimming and removing trees. This problem is not addressed adequately by the current Tariff Rule 11, according to PG&E, because Tariff Rule 11 does not allow Electric IOUs to disconnect service until there is a breach of minimum vegetation

clearances mandated by Rule 35, by which time the utility will be in violation of Rule 35, public safety will be in jeopardy, and system reliability will be at risk.

Another defect in Tariff Rule 11, PG&E contends, is that it does not provide Electric IOUs with authority to disconnect service when customers refuse to provide access for the purpose of (1) removing all or parts of dead, rotten, and diseased trees that overhang or lean towards an overhead power line or communication line, or (2) maintaining minimum vegetation clearances in SRAs mandated by Cal. Pub. Res. Code §§ 4292 and 4293. PR 22 would amend Tariff Rule 11 to provide such authority.

An additional defect in Tariff Rule 11, according to PG&E, is that it requires Electric IOUs, prior to disconnecting service, to provide notice of the forthcoming disconnection using the procedures applicable to discontinuance of service for non-payment. PG&E contends that the notice requirements associated with disconnection for non-payment are not applicable to disconnection for refusal to provide access for vegetation maintenance, as the former must include information that is irrelevant to customers who refuse to provide access. Such irrelevant information includes the past due amount, the date by which payment must be made, and information about financial assistance. PG&E states that PR 22 would focus the required customer notice on matters that are related to vegetation management.

PR 22 is supported by all electric utility parties and IBEW 1245, though most of these parties said little in support of PR 22. Liberty Utilities is concerned that PR 22 would modify Tariff Rule 11 so that it no longer applies statewide, but only to Tier 2 and Tier 3 of the High Fire-Threat District. Therefore, Liberty Utilities requests that it be allowed to retain its existing Tariff Rule 11 and add PR 22 to Tariff Rule 11 as a new section. SDG&E echoes PG&E's position

that PR 22 is needed because Electric IOUs are frequently denied access to customers' properties for the purpose of trimming and removing trees.

The following parties take a neutral position with respect to PR 22: Most of the CIP parties, Laguna Beach, and MGRA.

PR 22 is opposed by CFBF, LACFD, SED, and TURN. Each opponent objects to PR 22 for one or more of the following reasons. First, Tariff Rule 11 currently allows an Electric IOU to disconnect service only when there is a breach of the Rule 35 minimum vegetation clearances. The opponents are troubled that PR 22 would allow service to be disconnected when there is an "imminent threat of breach." This is a vague and subjective standard, the opponents argue. SED adds that this provision in PR 22 would hold customers to a stricter vegetation clearance standard than required of utilities by Rule 35.

Second, the opponents contend that PR 22 is outside the scope of this proceeding because it would change the applicability of Tariff Rule 11 with respect to the vegetation clearances mandated by Rule 35, Table 1, Case 13. These vegetation clearances apply to areas outside the High Fire-Threat District.

Finally, the opponents are concerned that PR 22 would replace the requirement in Tariff Rule 11 that Electric IOUs must provide notice of an impending service disconnection in accordance with the notice requirements applicable to discontinuance of service for non-payment. TURN argues that:

[PR 22] essentially sidesteps all requirements in other sections of Electric Rule 11 as well as the notice requirements set forth in Electric Rule 8 that were drafted to protect customers in the event of a disconnection. [PR 22] would obviate the utilities of the need to follow existing rules such as prohibitions against disconnections on weekends and holidays; the requirement that the utilities make an in-person site visit to customers identified as medical baseline, life support, or self-certified as having a serious illness or condition that could become life

threatening if service is disconnected prior to actually disconnecting service; the requirement to physically post notice at master-metered, multi-family residences; and the requirement that notices be provided in the five most common languages... This PR may cause significant harm to customers and, in the worst-case scenario, may cause a seriously life-threatening situation for customers on medical baseline or life support. (TURN Reply Comments (August 11, 2017) at pages 3 - 4. Footnotes omitted.)

4.2.20.3 Discussion

Overhead power lines must be kept clear of vegetation at all times to prevent fires and outages. To this end, Tariff Rule 11 allows Electric IOUs to disconnect service to customers and property owners who obstruct access to overhead power lines for vegetation management activities, subject to the following conditions:

1. The authority to disconnect service is limited to situations where there is a breach of the minimum vegetation clearances required for power lines in GO 95, Rule 35, Table 1, Cases 13 and 14.
2. Prior to disconnecting service, the Electric IOU must follow the procedures and notice requirements applicable to discontinuance of service for non-payment, including the requirements applicable for sensitive customers, customers who are not proficient in English, multifamily accommodations, and other customer groups, except as set forth in Item 3 below. To the extent practical, the applicable procedures and notice requirements must be completed prior to a breach of the minimum vegetation clearances required by GO 95, Rule 35, Table 1, Cases 13 and 14.
3. For vegetation hazards that pose an immediate threat to public safety, the Electric IOU may disconnect service to the obstructing property owner's residence or primary place of business at any time without prior notice, except when the customer receives service under a medical baseline allowance. If service is disconnected without prior notice, the Electric IOU shall attempt to contact the property owner for five consecutive business days

by daily visits to the property owner's residence or primary place of business, in addition to sending a written notice to inform the property owner why service has been disconnected and how to restore service. If the Electric IOU determines that it is necessary to disconnect service to a medical baseline customer, the Electric IOU shall attempt to notify the customer by telephone prior to the service disconnection.

4. The customer's service will not be restored until appropriate vegetation management has been achieved or the vegetation hazard has been mitigated, and payment for all applicable restoration of service charges has been received.

Shutting off power to a customer is a harsh remedy. The above-cited provisions of Tariff Rule 11 reflect a careful balancing of (1) the public's interest in maintaining safe vegetation clearances around power lines, and (2) customers' need for continual access to vital electric utility service.

We find that PG&E and the other supporters of PR 22 have not shown good cause to upset the careful balancing of interests embedded in Tariff Rule 11. Therefore, we decline to adopt PR 22 to the extent it seeks to alter the substantive terms and conditions of Tariff Rule 11 regarding the disconnection of electric service to customers who obstruct access to overhead power lines for the purpose of maintaining the vegetation clearances mandated by Rule 35.

On the other hand, we agree with PG&E that Tariff Rule 11 should be amended to apply to customers who obstruct access to overhead power lines for the purpose of maintaining the vegetation clearances mandated by Cal. Pub. Res. Code §§ 4292 and 4293 for SRAs. These vegetation clearances are similar to, and serve the same purpose as, the vegetation clearances mandated by Rule 35, Table 1, Case 14. Consequently, a breach of the vegetation clearances mandated by Cal. Pub. Res. Code §§ 4292 and 4293 poses essentially the same threat to public safety as a breach of the minimum vegetation clearances mandated by

Rule 35. Because the threat to public safety is the same, Tariff Rule 11 should apply equally to breaches of the vegetation clearances mandated by Rule 35 and Cal. Pub. Res. Code §§ 4292 and 4293.

We generally agree with PG&E that Tariff Rule 11 should be modified to apply to situations where a customer obstructs access to overhead power lines for the purpose of carrying out the following vegetation management activities mandated by Rule 35:

When a supply or communication company has actual knowledge, obtained either through normal operating practices or notification to the company, that dead, rotten or diseased trees or dead, rotten or diseased portions of otherwise healthy trees overhang or lean toward and may fall into a span of supply or communication lines, said trees or portions thereof should be removed.

Dead, rotten, diseased, overhanging, and leaning trees (together, “defective trees”) in close proximity to power lines are a significant threat to public safety and system reliability, and such trees (or portions thereof) must be trimmed or removed.¹⁰⁰ It is therefore reasonable to provide Electric IOUs with authority under Tariff Rule 11 to disconnect service to customers who obstruct access to defective trees that need to be trimmed or removed pursuant to Rule 35.

In many situations involving defective trees, it is unlikely the defective tree will breach Rule 35’s minimum vegetation clearance requirements until the moment the defective tree (or part of the tree) falls onto a power line. As a result,

¹⁰⁰ Cal. Pub. Res. Code § 4292 contains the following provision that is analogous to Rule 35: “Dead trees, old decadent or rotten trees, trees weakened by decay or disease and trees or portions thereof that are leaning toward the line which may contact the line from the side or may fall on the line shall be felled, cut, or trimmed so as to remove such hazard.”

the existing provisions in Tariff Rule 11 that allow an Electric IOU to disconnect service only when there is a breach of Rule 35's minimum vegetation clearances do not effectively address the situation where a customer prevents a utility from trimming or removing defective trees that may fall onto a power line.

The existing provisions of Tariff Rule 11 also provide a readily observable and objective standard for when it is reasonable to disconnect a customer's service, i.e., when there is a breach of Rule 35's minimum vegetation clearances. However, it is not possible to establish an easily observable and objective standard with respect to defective trees because there is no way to know with certainty when a defective tree (or part thereof) will fall onto a power line. Therefore, in modifying Tariff Rule 11 to apply to defective trees, it will be necessary to rely on Electric IOUs' professional and good faith judgement regarding when the threat to public safety from a particular defective tree has reached a critical point that necessitates disconnection of service to the customer who obstructs access to the defective tree.

With the foregoing in mind, we conclude that it is in the public interest to amend Tariff Rule 11 to include the following provisions regarding the disconnection of service to customers who obstruct the removal of defective trees (or parts thereof). First, Electric IOUs must have good faith basis to believe that a defective tree (or part thereof) poses an imminent or immediate risk for falling onto a power line. Said basis shall be obtained in writing from an arborist who possesses dual certification from the International Society of Agriculture as a

Certified Master Arborist and a Certified Utility Specialist.¹⁰¹ The arborist's written statement shall provide one or more photographs of the defective tree and explain why the defective tree (or parts thereof) is an imminent or immediate risk for falling onto a power line. Today's Decision defines "imminent risk" as a risk that will, in the arborist's professional judgement, very likely be realized at any moment. An "immediate risk" is a risk that will, in the arborist's professional judgement, certainly be realized at any moment.¹⁰²

Second, the Electric IOU shall send written notice to the customer prior to disconnecting service. The notice shall comply with the requirements applicable to discontinuance of service for non-payment, including the requirements applicable to sensitive customers, customers who are not proficient in English, multifamily accommodations, and other customer groups. The notice shall also include the arborist's written determination and photographs provided to the Electric IOU. An Electric IOU must provide notice to the customer prior to disconnecting service for an imminent risk.

Finally, consistent with existing provisions in Tariff Rule 11, the Electric IOU may disconnect service without prior notice to the customer when the Electric IOU has a high degree of confidence that the defective tree poses an immediate and critical risk to public safety. The Electric IOU shall fully

¹⁰¹ Electric utilities employ and/or hire professional tree inspectors. For example, PG&E reports that it employs a staff of trained and highly qualified tree inspectors to walk every mile of every distribution and transmission line every year. (PG&E Comments filed on July 31, 2017, at 17.)

¹⁰² The Proposed Decision limited Electric IOUs' authority to shut off power to situations where there is an "immediate risk." Today's Decision incorporates PG&E's Comments on the Proposed Decision that Electric IOUs should be authorized to disconnect service when there is an "immediate risk" or an "imminent risk."

document the basis for its determination. And as required by Tariff Rule 11, if an Electric IOU determines that it is necessary to disconnect service to a medical baseline customer, the Electric IOU shall attempt to notify the customer by telephone prior to the service disconnection.

The text of the relevant parts of the pro forma Tariff Rule 11 in the Workshop Report, as amended by today's Decision, is set forth in Appendix B of today's Decision. Significantly, because the scope of this proceeding is limited to regulations that apply only to the High Fire-Threat District, our adopted amendments to Tariff Rule 11 apply only to the High Fire-Threat District.

To implement today's Decision, each Electric IOU shall file and serve a Tier 3 advice letter to revise its tariffs to incorporate our adopted amendments to the pro forma Tariff Rule 11 no later than 90 days from the issuance date of today's Decision.

5. Cost Recovery

The parties did not provide firm estimates of utility costs and savings associated with the amendments to GO 95, GO 165, and GO 166 that are adopted by today's Decision. We conclude that a net increase in costs, if any, will be more than offset by the substantial public-safety benefits from the adopted revisions.

Cost-of-service utilities are entitled to recover the reasonable costs they incur to comply with the regulations that are adopted by today's Decision after the reasonableness of such costs has been verified by the Commission.

We find there is no need to establish a cost-recovery mechanism for utilities with deregulated rates. Any utility with deregulated rates or rate flexibility that places a line-item charge on its customer bills to recover costs that are incurred as a result of this proceeding must not state or imply that such charge is mandated or approved by the Commission.

5.1. Cost Recovery for Electric IOUs

The Electric IOUs shall track and record their costs to implement the regulations adopted by today's Decision in the Fire Hazard Prevention Memorandum Accounts (FHPMAs) they have established pursuant Commission decisions issued in R.08-11-005.¹⁰³ Each Electric IOU may file one or more applications to recover the costs recorded in its FHPMA. The number and timing of such applications will be at the discretion of each utility.¹⁰⁴ We will verify and assess the reasonableness of recorded costs in application proceedings.

The Electric IOUs shall record in their FHPMAs only those costs that are not already being recovered in rates (e.g., costs that were previously booked to an Electric IOU's FHPMA and subsequently recovered in rates in a previous GRC proceeding). Each Electric IOU may continue to record authorized costs in its FHPMA until the first GRC that occurs after the close of this proceeding, at which time the FHPMA shall be closed. The IOU may then use the GRC mechanism to request recovery of the costs it incurs from that point forward to comply with the regulations adopted by today's Decision. The Electric IOU may seek to recover the ending balance in its FHPMA, if any, by filing an application.

5.2. Cost Recovery for the Small ILECs

The Small Incumbent Local Exchange Carriers ("Small ILECs") may use their annual California High Cost Fund-A ("CHCF-A") Tier 3 advice letters to

¹⁰³ See, for example, D.09-08-029 at 43 – 44, and D.12-01-032 at 152 and Conclusion of Law 21.

¹⁰⁴ In lieu of filing applications, an Electric IOU may seek to recover the costs recorded in its FHPMA in its next scheduled general rate case application.

request recovery of the costs recorded in their FHPMAs.¹⁰⁵ We will verify and assess the reasonableness of the costs recorded in each Small ILEC's FHPMA as part of our review of the Small ILEC's annual CHCF-A advice letters, to be addressed in the CHCF-A advice letter resolution or by separate resolution addressing the FHPMA request only.

The Small ILECs may only seek to recover costs via their CHCF-A advice letters that are (1) recorded in their FHPMAs, (2) directly related to the implementation of the regulations adopted in this proceeding, and (3) not recovered elsewhere. The Small ILECs shall provide work papers, documents, and/or other information requested by Commission staff to analyze and verify the claimed costs. The fact that Small ILECs may request recovery of costs does not ensure recovery. The Small ILECs may only recover those costs that are verified and found reasonable by staff and approved by the Commission.

Each Small ILEC may continue to use the CHCF-A advice letter process until the first GRC that occurs after the close of this proceeding. At that time, the Small ILEC shall close its FHPMA and thereafter use the GRC mechanism to request recovery of the costs it incurs to comply with the regulations adopted by today's Decision. The Small ILEC may seek to recover the ending balance in its FHPMA, if any, in its annual CHCF-A advice letter filing.

We note that there is no requirement for Small ILECs to file GRCs. However, if a Small ILEC does not file a GRC, it will eventually lose all of its financial support from the CHCF-A through the waterfall process. Under this process, a Small ILEC will receive 100 percent of its authorized financial support

¹⁰⁵ D.12-01-032 at 154 - 156.

from the CHCF-A for three years following the GRC test year. Financial support then falls to 80 percent of the authorized amount in the fourth year after the GRC, 50 percent in the fifth year, and zero percent in the sixth year.¹⁰⁶ Thus, a Small ILEC's ability to recover the costs recorded in its FHPMA through annual CHCF-A advice letters will decline and eventually end if it does not file a GRC.

We will require each Small ILEC to close its FHPMA when its authority to seek financial support from the CHCF-A reaches zero percent. The company's authority to seek recovery of the costs recorded in its FHPMA shall expire upon the closure of its FHPMA.

We note that several Small ILECs have opted out of the CHCF-A, and there is no requirement for these companies to file a GRC.¹⁰⁷ These companies may seek to recover the costs recorded in their FHPMA in their next GRC filing, if any. Their authority to seek recovery of such costs will end when the window to file their next GRC has closed, at which time their FHPMAs shall be terminated.

6. Implementation of Fire-Safety Regulations

6.1. High Fire-Threat District Map

Decision 17-01-009 specifies that the High Fire-Threat District Map will become effective upon the Commission's adoption of the CPUC Fire-Threat Map. The process for the Commission's review and adoption of the CPUC Fire-Threat Map is set forth in D.17-01-009¹⁰⁸ as modified by D.17-06-024.¹⁰⁹ The timeframe

¹⁰⁶ D.91-09-042, 41 CPUC2d 326, 332.

¹⁰⁷ These companies are Happy Valley Telephone Company, Hornitos Telephone Company, Winterhaven Telephone Company, and Verizon West Coast (now owned by Frontier).

¹⁰⁸ D.17-01-009 at 35-36, 42-47, and Ordering Paragraph 1.nn.

for the Commission's review and adoption is set forth in a ruling issued on October 6, 2017. At the time of today's Decision, we anticipate the CPUC Fire-Threat Map will be approved by the Commission in February 2018.

6.2. Fire Prevention Plan

Each Electric IOU shall file an annual report beginning October 31, 2018, pursuant to GO 166, Standard 11, that contains a fire-prevention plan for the Electric IOU's overhead electric facilities in the High Fire-Threat District. The fire-prevention plan shall contain the information specified in GO 166, Standard 1, Part E, to the extent applicable to the Electric IOU's service territory.

6.3. New and Amended Fire-Safety Regulations in Zone 1, Tier 2, and Tier 3 of the High Fire-Threat District

Today's Decision adopts new and amended fire-safety regulations that apply to Zone 1, Tier 2, and/or Tier 3 of the High Fire-Threat District. With the exception of the filing date for the fire-prevention plan addressed in Section 6.2 in today's Decision and recommended time-of-trim clearances, these regulations shall be fully implemented in Tier 3 statewide by September 1, 2018, including full compliance with requirements pertaining to the frequency of inspections, vegetation clearances, correction timeframes, etc. For example, by September 1, 2018, an annual patrol inspection shall have been completed within the previous 12 months for all overhead electric utility distribution facilities in rural Tier 3 areas pursuant to GO 165. Likewise, by September 1, 2018, all power lines in Tier 3 areas shall comply with the minimum vegetation clearances set forth in GO 95, Rule 35, Table 1, Case 14. Similarly, by September 1, 2018, there shall be

¹⁰⁹ D.17-06-024 at 20-22 and Ordering Paragraphs 1 and 2.

no uncorrected Priority Level 2 fire risks in Tier 3 areas that have been outstanding for more than six months.¹¹⁰ Full compliance shall be achieved in Zone 1 and Tier 2 statewide by no later than June 30, 2019.

The deadlines adopted by today's Decision prioritize compliance in Tier 3. The adopted deadlines for Zone 1 and Tier 2 reflect our recognition that the hundreds of electric utilities and CIPs responsible for implementing the new and amended regulations across large geographic areas will need sufficient time to develop and implement new policies, procedures, documentation, records, databases, personnel training, budgets, etc., to achieve full compliance.

Today's Decision incorporates the following revisions in response to parties' comments on the Proposed Decision. First, we clarify that the increased time-of-trim guidelines in Appendix E of GO 95, as amended by today's Decision, apply to vegetation trims starting no later than September 1, 2018, in Tier 3 and starting no later than June 30, 2019, in Zone 1 and Tier 2.¹¹¹ We reiterate that all power lines shall comply with the minimum vegetation clearances set forth in GO 95, Rule 35, Table 1, Case 14, by no later than September 1, 2018 in Tier 3, and by June 30, 2019, in Zone 1 and Tier 2.

Second, with one exception, if and when the fire-threat map for Zone 1 (i.e., the USFS - CAL FIRE joint map of Tree Mortality HHZs) is updated,¹¹² utilities shall achieve full compliance with the fire-safety regulations that apply

¹¹⁰ Rule 18-A(2)(b) allows the six-month correction timeframe for Priority Level 2 fire risk in Tier 3 fire-threat areas to be extended under reasonable circumstances.

¹¹¹ Joint POU's Comments on the Proposed Decision, at 3-4.

¹¹² Joint POU's Comments on the Proposed Decision, at 5-6. CIP Coalition's Reply Comments on the Proposed Decision, at 3.

to any areas that are newly added to the High Fire-Threat District no later than 18 months after an updated map that includes the newly added areas is posted on the Tree Mortality Task Force's website.¹¹³ The one exception is that compliance with the time-of-trim clearance guidelines in Appendix E of GO 95, as amended by today's Decision, shall start no later than 18 months after an updated map of Zone 1 is posted on the Tree Mortality Task Force's website. It will be the responsibility of each utility to monitor this website for updated maps of Zone 1. Separately, SED is required by D.17-01-009 to post and maintain on the Commission's website a download link to the current version of the Zone 1 map.¹¹⁴ CAL FIRE has agreed to notify SED within 30 days of an updated Zone 1 map being posted to the Tree Mortality Task Force's website so that SED can post a link to the updated map on the Commission's website.¹¹⁵

Third, we note that many areas mapped as Zone 1 fire-threat areas overlap Tier 2 or Tier 3 fire-threat areas. Where such overlap occurs, and the particular fire-safety regulations applicable to Zone 1 are different than the fire-safety regulations applicable to Tier 2 or Tier 3, the strictest fire-safety regulations for the overlapping areas shall apply. For example, in an area mapped as both

¹¹³ The URL for the Tree Mortality Task Force's webpage for the USFS - CAL FIRE joint map on Tree Mortality HHZs is <http://www.fire.ca.gov/treetaskforce/reports#Maps-Data>. Updates to the joint map should be accessible from this webpage. At the time of today's Decision, the USFS - CAL FIRE joint map on Tree Mortality HHZs was current as of January 2017.

¹¹⁴ D.17-01-009 at Conclusion of Law 55 and Ordering Paragraph 7.b.

¹¹⁵ Today's Decision does not alter Ordering Paragraph 9 of D.17-01-009, which states as follows: "[SED] shall periodically check [CAL FIRE's] website for revisions to the map of Tree Mortality High Hazard Zones. If and when there are revisions to the map, SED shall update the link to the map that SED has posted on the Commission's website in accordance with Section 5 of [D.17-09-001]."

Zone 1 and Tier 2, utilities must correct a Priority Level 2 fire risk within 12 months (Tier 2) of identifying the fire risk, and not 59 months (Zone 1).

Finally, if electric utilities and CIPs cannot meet the deadlines for implementing the fire-safety regulations adopted by today's Decision because of extenuating circumstances,¹¹⁶ they may request an extension of time in accordance with Rule 16.6 of the Commission's Rules of Practice and Procedure.

6.4. Updating the General Orders

SED shall revise GO 95, GO 165, and GO 166 to incorporate (1) the adopted amendments shown in Appendix B of today's Decision, and (2) ancillary ministerial amendments that are not shown in Appendix B. These ministerial revisions include updating GO 95's chronology of new and amended rules, and adding a note under each GO 95 rule adopted or amended by today's Decision that identifies the decision number and date of today's Decision. SED shall publish the revised General Orders on the Commission's website within 60 days from the date this Decision is issued (as shown on the first page of this Decision).

6.5. Electric Tariff Rule 11

Each Electric IOU shall file a Tier 3 advice letter, 90 days from the issuance date of today's Decision, to revise its tariffs to incorporate our adopted amendments to the pro forma Tariff Rule 11 in Appendix B of today's Decision.

7. The CPUC-CAL FIRE MOU

In August 2017, representatives for the Commission ("CPUC") and CAL FIRE signed a memorandum of understanding (hereafter, the

¹¹⁶ Joint POU's' Comments on the Proposed Decision, at 2 and 4.

“CPUC-CAL FIRE MOU” or “MOU”) that lists several shared priorities, including:

- Working together to develop consistent approaches to wildfire prevention and public safety.
- Assisting one another in preparing for, responding to, and mitigating the effects of wildfires.
- Creating an Interagency Fire Safety Working Group to vet ideas and develop programmatic solutions to shared goals in the interest of fire safety and resource protection.

The MOU identifies several immediate goals, including the following:

- Developing a shared understanding of the use of fire mapping, including enhanced enforcement of GO 95.
- Identifying any mitigation measures that the utilities need to take in response to the tree mortality crisis.
- Working together to (1) identify the requirements of the wildfire prevention plans required by Pub. Util. Code §§ 8386 – 8387 and communication of these requirements to the utilities, and (2) developing a process to review the wildfire prevention plans.
- Providing complementary resources in the areas of risk mitigation and risk management.

The MOU states that CAL FIRE will perform specified activities and functions to carry out the intent of the MOU, including the following:

- Upon request, review wildfire-mitigation plans in accordance with Pub. Util. Code §§ 8385 – 8387, and assist the CPUC in developing criteria and standards to be used in wildfire-mitigation plans.
- Identify and develop contracting requirements necessary to complete the High Fire-Threat District Map and establish the CPUC Wildfire Mitigation Section in accordance with Pub. Util. Code §§ 8386 - 8387. This includes:
 - Participate in the Independent Review Team as defined in D.17-01-009.

- Assess, evaluate, and provide formal feedback via public comments or reports on future party-submitted mapping proposals regarding physical mapping changes and challenges and/or adjustments to existing mapping methodologies.
- Assess, evaluate, and provide formal feedback via public comments on wildfire-mitigation plans prepared by utilities in accordance with Pub. Util. Code §§ 8386 - 8387 and utility vegetation management plans.
- Provide subject matter expertise in mechanical engineering, utility design and testing, and wildland fire risk analysis to the CPUC to advise on wildfire-mitigation program management, audit schedule, mitigation plan details, and enforcement. In addition, liaise with CPUC staff to assist with technical fire science/behavior assessment and allocation of resources.
- Participate in identifying best practices of design and operation of utility systems for the purpose of fire mitigations.

A copy of the CPUC-CAL FIRE MOU is contained in Appendix C of today's Decision.

Today's Decision instructs the Director of the Commission's Safety and Enforcement Division or the Director's designee (together, "Director") to confer with CAL FIRE, via the Interagency Fire Working Group established by the CPUC-CAL FIRE MOU and/or other channels of communication deemed appropriate by the Director, regarding the following matters:

1. The development of a statewide fire-wind map by CAL FIRE (or under CAL FIRE's oversight) for the purpose of establishing fire-wind-load standards and possibly other fire-safety regulations tied to the map. If the Director and CAL FIRE determine that the development of a statewide fire-wind map and associated fire-safety regulations has merit and is feasible, the Director shall also confer with CAL FIRE regarding each agency's roles and responsibilities with respect to the development, funding,

and implementation of the fire-wind map and fire-safety regulations tied to the map.

2. Adoption of a six-month maximum timeframe for correcting Priority Level 2 fire safety risks¹¹⁷ in Tier 2 of the High Fire-Threat District.

CAL FIRE has agreed to confer with the Director regarding the above matters. After conferring with CAL FIRE, the Director shall submit a written report to the Commission and the Commission's Executive Director within six months from the issuance date of today's Decision.¹¹⁸ The report shall provide the Director's recommendations regarding whether and how to proceed with (1) the development and adoption of a statewide fire-wind map, (2) the development and adoption of fire-wind-load standards and possibly other fire-safety regulations tied to the fire-wind map, and (3) the adoption of a six-month timeframe for correcting Priority Level 2 fire risks in Tier 2 fire-threat areas. The Director shall concurrently post a copy of the report (or a link to the report) on SED's section of the Commission's website.

8. California Environmental Quality Act

The California Environmental Quality Act (CEQA)¹¹⁹ applies to any project that has a potential for resulting in a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment unless the project is exempt from CEQA by statute or regulation.¹²⁰ The Workshop

¹¹⁷ Rule 18-A(2)(a)(ii) defines "Priority Level 2" as "[v]ariable (non-immediate high to low) safety and/or reliability risk."

¹¹⁸ The issuance date is on page 1 of today's Decision at the upper right corner.

¹¹⁹ CEQA is codified in Cal. Pub. Res. Code § 21000 et seq.

¹²⁰ 14 Cal. Code Regs., Section 15378. The CEQA guidelines are set forth in 14 Cal. Code Regs., Section 15000 et seq.

Report states that every regulation adopted by today's Decision is exempt from CEQA because it is not a "project" under CEQA and will not have significant impacts on the environment. No party disagrees with this assessment.

The Commission is the lead agency under CEQA with respect to the regulations adopted by this Decision. We find that all of the adopted regulations are exempt from CEQA pursuant to one or more of the following statutory exemptions or categorical exemptions in the CEQA guidelines:

- The adopted regulations will not have a potentially significant impact on the environment and are therefore not a "project" as defined by Pub. Res. Code § 21065 and 14 Cal. Code Regs., Section 15061(a)(3).
- The adopted regulations continue provisions that were adopted in D.09-08-029, D.12-01-032, and/or D.14-02-015 wherein it was determined that CEQA did not apply to the adopted measures. (D.09-08-029 at 7; D.12-01-032 at 156-158; and D.14-02-015 at 89-91.)
- The adopted regulations involve operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. (14 Cal. Code Regs., Section 15301 (b) & (f).)
- The adopted regulations involve fuel management activities within 30 feet of structures to reduce the volume of flammable vegetation, provided that the activities will not result in the taking of endangered, rare, or threatened plant or animal species or significant erosion and sedimentation of surface waters. This exemption shall apply to fuel management activities within 100 feet of a structure if the public agency having fire protection responsibility for the area has determined that 100 feet of fuel clearance is required due to extra hazardous fire conditions. (14 Cal. Code Regs., Section 15304(i).)

9. Need for Hearing

In OIR 15-05-006, the Commission preliminarily determined that hearings are not needed in this proceeding. Parties were provided an opportunity by the Scoping Memo to request evidentiary hearings with respect to the matters that are decided by today's Decision. No such requests were submitted. Today's Decision affirms that there is no need for evidentiary hearings regarding the matters decided by today's Decision.

10. Comments on the Proposed Decision

The Proposed Decision of Commissioner Picker was mailed to the parties in accordance with Pub. Util. Code § 311, and comments were allowed in accordance with Rule 14.3 of the Commission's Rules of Practice and Procedure. Comments were filed on November 28, 2017, by the CIP Coalition, Laguna Beach, Liberty Utilities, MGRA, the Joint POU's, PG&E, SCE, SDG&E, and TURN. Reply comments were filed on December 4, 2017, by the CIP Coalition, the Joint POU's, SCE, SDG&E, SED, and TURN.

Today's Decision incorporates the following updates and revisions in response to the parties' comments on the Proposed Decision:

- Several typographical errors and other errors are corrected.
- Figures 1 and 2 have been revised to more clearly depict the geographic information conveyed.
- All references and information associated with the Initial CPUC Fire-Threat Map filed on October 2, 2017 are replaced with references and information associated with the IRT-approved CPUC Fire-Threat Map filed on November 17, 2017.
- A footnote is added to Section 1.1 of today's Decision to clarify that the High Fire-Threat District Map will consist of two separate and independent maps (i.e., the map of Tree Mortality HHZs and the CPUC Fire-Threat Map).

- A footnote in Section 4.2.6.3.3 of today's Decision is revised to state that the cause of the Northern California wildfires is currently under investigation.
- Section 4.2.12 and Finding of Fact 22 of today's Decision are revised to delete text that provided a substantive interpretation of Rule 48 of GO 95.
- Section 4.2.20.3 of today's Decision is revised to authorize Electric IOUs to disconnect service when there is an "imminent risk" of a defective tree or part thereof falling onto a power line (and the other criteria specified in Section 4.2.20.3 are met).
- Section 6.3 of today's Decision is revised to clarify that where Zone 1 fire-threat areas overlap Tier 2 or Tier 3 fire-threat areas, and the fire-safety regulations applicable to Zone 1 are different than the fire-safety regulations applicable to Tier 2 or Tier 3, the strictest fire-safety regulations for the overlapping areas shall apply.
- Section 6.3 of today's Decision is revised to clarify that increased time-of-trim guidelines in Appendix E of GO 95, as amended by today's Decision, apply to vegetation trims starting no later than September 1, 2018, in Tier 3 and starting no later than June 30, 2019, in Zone 1 and Tier 2.
- Section 6.3 of today's Decision is revised to include a requirement that, with one exception, if and when the fire-threat map for Zone 1 (i.e., the USFS - CAL FIRE joint map of Tree Mortality HHZs) is updated, and the updated map includes areas that are newly added to the High Fire-Threat District, utilities shall achieve full compliance with fire-safety regulations that apply specifically to the High Fire-Threat District in the newly added areas no later than 18 months after an updated map that includes the newly added areas is posted on the Tree Mortality Task Force's website. The one exception is that compliance with the time-of-trim clearance guidelines in Appendix E of GO 95, as amended by today's Decision, shall start no later than 18 months after an updated map of Zone 1 is posted on the Tree Mortality Task Force's website. It will be the

responsibility of each utility to monitor this website for updated maps of Zone 1.

- Section 6.3 of today's Decision is revised to include a statement that (1) SED is required by D.17-01-009 to post and maintain on the Commission's website a download link to the current version of the Zone 1 map, and (2) CAL FIRE has agreed to notify SED within 30 days of an updated Zone 1 map being posted to the Tree Mortality Task Force's website so that SED can post a link to the updated map on the Commission's website.

We disagree with TURN's position that the Proposed Decision commits factual error by finding that the costs of the adopted fire-safety regulations are offset by the associated public-safety benefits. TURN asserts that this finding is not supported by the record, which contains little quantitative information or analysis regarding the costs and benefits of the adopted fire-safety regulations.¹²¹

This is a quasi-legislative rulemaking proceeding. As such, we may rely on legislative facts¹²² obtained from written submissions in this proceeding, such as the Workshop Report and written comments. We may also draw on evidence from past proceedings, our experience and expertise in regulating utilities, our current policies, and common sense.¹²³ In the Proposed Decision (and today's Decision) we rely heavily on our policy imperative of protecting public safety.¹²⁴

¹²¹ TURN Comments on the Proposed Decision, at 7-8.

¹²² A quasi-legislative proceeding establishes policies or rules affecting a class of regulated utilities. (Rule 1.3(d) of the Commission's Rules of Practice and Procedure.) Legislative facts are general facts that help the Commission to decide questions of law and policy and discretion. (Rule 13.3(c) of the Commission's Rules of Practice and Procedure.)

¹²³ D.06-06-071 at 26; D.06-12-029 at 13 - 14; D.04-03-041 at 11; and D.99-07-047, 1 CPUC3d 627, 634 - 636.

¹²⁴ The *Safety Policy Statement of the California Public Utilities Commission*, dated July 10, 2014, states at page 1 that it is the Commission's policy to continually reduce the safety risks posed

Footnote continued on next page

The record of this proceeding demonstrates that every adopted fire-safety regulation will enhance public safety.

We acknowledge throughout the Proposed Decision that, for the most part, the proponents of the adopted fire-safety regulations did not provide cost estimates or cost-benefit analyses for the adopted fire-safety regulations. At the same time, we repeatedly recognize in the Proposed Decision (and today's Decision) that utility-associated wildfires can cause enormous destruction and loss of life, as demonstrated by the catastrophic power-line wildfires in October 2007 and the Butte Fire in October 2015. It is our judgement that the costs of the adopted fire-safety regulations are more than offset by the public-safety benefits of avoided wildfires.

In addition to our policy imperative of protecting public safety, we use common sense, our experience regulating utilities, and other factors to reach the conclusion that the costs of the fire-safety regulations adopted by the Proposed Decision will not be unduly burdensome. For example, in Section 4.2.3.3.2 of the Proposed Decision (and today's Decision), we find that certain adopted amendments to Rule 18 of GO 95, which reduce the allowed timeframes for correcting fire-safety risks discovered by utilities, should not increase utility costs significantly because:

We do not expect the correction timeframes adopted by today's Decision for Priority Level 2 fire risks will increase costs significantly for utilities in the long run. Rule 18 has always required utilities to correct Priority Level 2 fire risks.

by the utilities regulated by the Commission. The *Safety Policy Statement* is at: http://www.cpuc.ca.gov/uploadedFiles/CPUC_Public_Website/Content/Safety/VisionZero4Final621014_5_2.pdf.

While today's Decision requires utilities to correct fire risks sooner if they are located in Tier 2 or Tier 3, today's Decision does not affect the total number of Priority Level 2 fire risks that must be corrected over time.

Similarly, in Section 4.2.7.3 of the Proposed Decision (and today's Decision), we find that an adopted amendment to Rule 38 of GO 95, which increases the required clearances between power lines for new and reconstructed facilities in Tier 3 fire-threat areas, is cost effective because:

With respect to cost-effectiveness, the fact that PR 8 applies only to new and reconstructed facilities in Tier 3 fire-threat areas, and not to existing facilities, provides a reasonable basis to expect that the ongoing costs to implement PR 8 will be limited to the proper design of new and reconstructed facilities in Tier 3 fire-threat areas. PR 8 will also require some initial implementation and training efforts, but such efforts are a one-time cost in contrast to the fire-safety benefits (i.e., reduced likelihood of wires touching) that will accrue over the service lives of the wires. (Footnotes omitted.)

Likewise, Section 4.2.6.3 of the Proposed Decision (and today's Decision) adopts SED's proposal to amend Rule 35, Table 1, Case 14 so that Case 14's increased vegetation clearances apply to the entire High Fire-Threat District. One effect of the adopted amendment to Case 14 is to increase the minimum vegetation clearance from 37.5 inches to 10 feet for power lines in the High Fire-Threat District that are operating at voltages in the range of 110 - 300 kV.¹²⁵

¹²⁵ Case 14, Footnotes (fff) and (ggg), requires a minimum vegetation clearance of 120 inches for conductors operating at voltages in the range 110 - 500 kV. Footnote (ggg) requires the clearance to be increased by 0.40 inch per kV in excess of 500 kV. Case 13 requires a minimum vegetation clearance of 18 to 37.5 inches for conductors operating in the range of 0.75 kV and 300 kV, depending on voltage.

The Proposed Decision explains in Section 4.2.6.3.3 that the adopted amendment to Case 14 is reasonable, in part, because:

We disagree with TURN that Case 14 vegetation clearances should not be extended to any part of the High Fire-Threat District at this time due to insufficient information to assess the costs and benefits. If TURN were to have its way, Case 14 would continue to apply only to high fire-threat areas in Southern California on the Interim Fire-Threat Maps, including areas that are not in the High Fire-Threat District. We believe it is imprudent to require electric utilities to spend money and effort to maintain Case 14 vegetation clearances in areas outside the High Fire-Threat District.

Moreover, it would be reckless to exempt the entire High Fire-Threat District from the Case 14 vegetation clearances. Power-line fires can cause enormous destruction as demonstrated by the catastrophic power-line fires in Southern California in October 2007 and the devastating Butte Fire in Amador and Calaveras Counties in September 2015. The catastrophic wildfires in Northern California in October 2017 further demonstrate the enormous destruction and loss of life that wildfires can cause. In our judgement, the Case 14 vegetation clearances are a reasonable measure for preventing catastrophic power-line fires in the High Fire-Threat District, as demonstrated by the fact that such clearances have been in effect for many years in [State Responsibility Areas]. (Footnotes omitted.)

Subsequent to the mailing of the Proposed Decision for comment, massive wildfires driven by strong Santa Ana winds struck Southern California, resulting in large scale evacuations and enormous destruction.¹²⁶ These wildfires reinforce

¹²⁶ The Southern California wildfires are cited for the sole purposes of demonstrating the enormous destructive potential of wildfires. The cause(s) of the Southern California wildfires is not known at the time of today's Decision.

our conclusion in the Proposed Decision (and today's Decision) that it is reasonable and in the public interest to increase the minimum vegetation clearance for high voltage power lines in the High Fire-Threat District from 37.5 inches to 10 feet.

We disagree with TURN's position that the Proposed Decision commits legal error by not adhering to a directive in the Scoping Memo that the extension of new fire-safety regulations to existing facilities would depend on cost estimates and cost-benefit considerations.¹²⁷ TURN overlooks D.17-01-009 where we determined that we would consider and possibly adopt proposed fire-safety regulations without quantitative information and analysis regarding the proposed regulations' costs and benefits, provided that the record otherwise shows the proposed fire-safety regulations are reasonable and should be adopted.¹²⁸

11. Assignment of the Proceeding

Michael Picker is the assigned Commissioner for this proceeding, and Timothy Kenney and Valerie U. Kao are the co-assigned ALJs.

Findings of Fact

1. The High Fire-Threat District will consist of three fire-threat areas. **Zone 1** will consist of Tier 1 HHZs on the USFS - CAL FIRE joint map of Tree Mortality HHZs. Tier 1 HHZs are in direct proximity to communities, roads, and utility lines. As such, they represent a direct threat to public safety. **Tier 2** will consist

¹²⁷ TURN Comments on the Proposed Decision, at 8.

¹²⁸ D.17-01-009 at 58-59, responding to SED's statement that it would be "nearly impossible" to conduct a quantitative cost-benefit analysis of proposed fire-safety regulations. (SED Comments on the Assigned Commissioner's Proposed Decision Adopting a Work Plan for the Development of Fire Map 2, filed January 5, 2017, at 4-5.)

of areas on the CPUC Fire-Threat Map that have an elevated risk (including likelihood and potential impacts on people and property) from wildfires associated with overhead utility power lines or overhead utility power-line facilities also supporting communication facilities. **Tier 3** will consist of areas on the CPUC Fire-Threat Map that have an extreme risk (including likelihood and potential impacts on people and property) from wildfires associated with overhead utility power lines or overhead utility power lines also supporting communication facilities. Tier 3 is distinguished from Tier 2 by having the highest likelihood of utility-associated fire initiation and growth that would impact people or property, and where the most restrictive utility regulations are necessary to reduce utility fire risk.

2. The CPUC Fire-Threat Map is currently in an advanced stage of development. The IRT-approved CPUC Fire-Threat Map filed on November 17, 2017, provides a reasonable estimate for the size of the statewide Tier 2 and Tier 3.

3. D.17-01-009 requires that (i) existing fire-safety regulations that apply to high fire-threat areas in Southern California on the Interim Fire-Threat Maps be transferred to Tier 3 fire-threat areas in Southern California on the statewide High Fire-Threat District Map; (ii) existing fire-safety regulations that apply to high fire-threat areas in Northern California on the Interim Fire-Threat Maps be transferred to Tier 3 fire-threat areas in Northern California on the statewide High Fire-Threat District Map; and (iii) the transfer of existing fire-safety regulations be completed no later than September 1, 2018.

4. The Workshop Report filed on July 10, 2017, contains 31 proposed fire-safety regulations for the High Fire-Threat District.

5. The regulations adopted by today's Decision will improve the fire safety of overhead power-line facilities and aerial CIP facilities in close proximity to overhead power lines. Any additional costs these new regulations impose on utilities are offset by substantial public-safety benefits.

6. The proposed regulations that are not adopted by today's Decision have one or more of the following defects: (i) the proposed regulation provides less public safety relative to existing regulations; (ii) the proposed regulation is not within the scope of this proceeding; (iii) the proposed regulation is contrary to the fire-safety goals of this proceeding; (iv) there is no demonstrated need for the proposed regulation; (v) the costs and burdens of the proposed regulation are not adequately known at this time; and/or (vi) existing regulations are sufficient.

7. D.14-02-015 adopted a FIDCP to enable SED to identify systemic fire-safety risks and develop measures to mitigate these risks. The FIDCP requires PG&E, SCE, and SDG&E to collect specified information regarding every known fire associated with their overhead power-line facilities down to one linear meter in size, and to provide this data to SED in an annual report. The FIDCP's report template includes a field for reporting fires ignited by vehicle-pole collisions.

8. In order to prevent utility-associated wildfires going forward, it is essential to (i) identify areas where there is heightened risk for such wildfires, and (ii) prepare and implement a plan for preventing such wildfires.

9. GO 166 requires most Electric IOUs to file a fire-prevention plan annually. Pub. Util. Code § 8386(b) requires electric corporations to file a wildfire-mitigation plan annually.

10. It would be redundant and confusing for Rule 31.1 to contain the same text as Rule 18-A(2)(a)(ii).

11. The Right-of-Way Rules adopted by D.98-10-058 prohibit unauthorized pole attachments, establish a per-attachment fine for unauthorized attachments, and provide notice that the Commission may impose additional sanctions for unauthorized attachments.

12. Rule 34 of GO 95 requires that permanent pole attachments must be authorized by the pole owner(s).

13. Overhead power lines must be kept clear of vegetation at all times to prevent fires and outages.

14. Wildfires ignited by vegetation contact with power lines in the High Fire-Threat District can grow to great size and cause enormous destruction.

15. The Governor's October 30, 2015 Emergency Proclamation ordered state agencies, utilities, and local governments to remove dead or dying trees that threaten power lines, roads, other evacuation corridors and other existing structures in Tree Mortality High Hazard Zones.

16. The ten High Priority Counties identified by CAL FIRE, under the auspices of the Tree Mortality Task Force, are located entirely or partially in PG&E's service territory. PG&E removed approximately 236,000 dead or dying trees in 2016, and estimates it will remove 158,000 in 2017.

17. Vegetation clearances specified in Cal. Pub. Res. Code §§ 4292 and 4293 are similar to, and serve the same purpose as, the vegetation clearances mandated by GO 95, Rule 35, Table 1, Case 14.

18. The vegetation clearances mandated by Case 14 are identical to the vegetation clearances established by Cal. Pub. Res. Code § 4293 for power lines with voltages in the range of 2.4 kV - 500 kV in SRAs.

19. Increasing minimum wire-to-wire clearances at mid-span in Tier 3 fire-threat areas reduces the likelihood of wires touching, which poses a serious fire-ignition risk.

20. Pole owners are responsible for the safety of their poles and have authority under Pub. Util. Code § 451 and Rule 31.1 of GO 95 to require stricter standards for pole attachments based on known local conditions. The existing pole attachment application process enables pole owners to impose and enforce more stringent requirements based on known local conditions.

21. The High Fire-Threat District Map is not sufficiently robust and granular to establish wind-load standards in Tier 2 and Tier 3 fire-threat areas.

22. PR 13, which proposes to remove the “multiply by” provision in Rule 48, is outside the scope of this proceeding.

23. The risk for utility-associated wildfires in Tier 2 fire-threat areas, where there is an elevated risk for such wildfires, can be reduced by amending GO 95 to require patrol and detailed inspections, at specified minimum cycles, of overhead communication lines in such areas.

24. Reducing the frequency of patrol and/or detailed inspection cycles increases the probability that fire risks will persist undetected, and either cause or contribute to the ignition of a utility-associated wildfire.

25. The risk for utility-associated wildfires in Tier 3 fire-threat areas, where there is an extreme risk for utility-associated wildfires, can be reduced by amending GO 95 to require intrusive inspections, at specified minimum cycles, of communication lines in such areas.

26. Increasing the recommended time-of-trim vegetation clearances for overhead power lines reduces the likelihood of vegetation contacting power lines, which poses a serious fire-ignition risk.

27. The risk for utility-associated wildfires in rural Tier 2 and Tier 3 fire-threat areas, where there is an elevated or extreme risk for such wildfires, can be reduced by amending GO 165 to require annual patrol inspections of electric utility overhead distribution facilities in such areas.

28. Dead, rotten, diseased, overhanging, and leaning trees in close proximity to power lines are a significant threat to public safety and system reliability.

29. The existing provisions in Tariff Rule 11 that allow an Electric IOU to disconnect service only when there is a breach of Rule 35's minimum vegetation clearances do not effectively address the situation where a customer prevents an Electric IOU from removing defective trees (or parts thereof) that pose an imminent or immediate risk for falling onto power lines.

30. Many parts of Zone 1 overlap with either Tier 2 or Tier 3.

31. There were no requests for an evidentiary hearing regarding the matters decided by this Decision.

Conclusions of Law

1. It is in the public interest to adopt the amendments to GO 95, GO 165, GO 166, and Tariff Rule 11 that are contained in Appendix B of this Decision for the reasons set forth in the body of this Decision, the Findings of Fact, and Conclusions of Law.

2. The fire-safety regulations adopted by this Decision are just, reasonable, and in the public interest pursuant to Pub. Util. Code §§ 451 and 454(a).

3. In order to protect public safety, those fire-safety regulations that currently apply only to specified high fire-threat areas in Southern California on the Interim Fire-Threat Maps adopted in R.08-11-005 should apply to Tier 3 fire-threat areas of the High Fire-Threat District statewide.

4. Pole attachments must be authorized by the pole owner(s) or other granting authority pursuant to the ROW Rules adopted by D.98-10-058 and GO 95 Rules 31.5, 34, and 91.1.

5. Electric utilities are required by Rule 31.1 of GO 95 and Pub. Util. Code § 451 to guard against leakage currents burning wood support structures for circuits of all voltages throughout the High Fire-Threat District.

6. It is reasonable to provide Electric IOUs with authority under Tariff Rule 11 to disconnect service to customers who obstruct access to defective trees that pose an imminent or immediate threat to public safety and need to be trimmed or removed pursuant to Rule 35.

7. SED should amend GO 95, GO 165, and GO 166 to incorporate the revisions in Appendix B of this Decision and publish the amended GOs on the Commission's website within 60 days from the date this Decision is issued. SED should make any additional ministerial revisions to GO 95, GO 165, and GO 166 that may be necessary to incorporate the amendments to these General Orders in Appendix B of this Decision.

8. Cost-of-service utilities are entitled to recover the reasonable costs they incur to implement the regulations that are adopted by today's Decision after the reasonableness of such costs has been reviewed, and cost recovery authorized, by the Commission.

9. There is no need to establish a cost-recovery mechanism for those utilities and CIPs whose rates are not regulated by the Commission.

10. The High Fire-Threat District Map will become effective upon the Commission's adoption of the CPUC Fire-Threat Map pursuant to D.17-01-009, Ordering Paragraph 1.nn.

11. Each Electric IOU should file an annual report beginning October 31, 2018, pursuant to GO 166, Standard 11, that contains a fire-prevention plan for the Electric IOU's overhead electric facilities in the High Fire-Threat District. The fire-prevention plan should contain the information specified in GO 166, Standard 1, Part E, to the extent applicable to the Electric IOU's service territory.

12. Electric Utilities should follow the increased time-of-trim guidelines in Appendix E of GO 95, as amended by today's Decision, starting no later than September 1, 2018, in Tier 3 and starting no later than June 30, 2019, in Zone 1 and Tier 2.

13. With the exception of the implementation instructions set forth in the two previous Conclusions of Law, the regulations adopted in this Decision should be fully implemented in Tier 3 statewide by September 1, 2018, including full compliance with requirements pertaining to frequency of inspections, minimum vegetation clearances in Case 14, etc. Full compliance should be achieved in Zone 1 and Tier 2 statewide by no later than June 30, 2019.

14. Where Zone 1 fire-threat areas overlap with Tier 2 or Tier 3 fire-threat areas, and the fire-safety regulations that apply to Zone 1 are different than the fire-safety regulations that apply to Tier 2 or Tier 3, the strictest fire-safety regulations for the overlapping areas should apply.

15. With one exception, if and when the fire-threat map for Zone 1 (i.e., the USFS - CAL FIRE joint map of Tree Mortality HHZs) is updated, and the updated map includes areas that are newly added to the High Fire-Threat District, utilities should achieve full compliance with the fire-safety regulations that apply specifically to the High Fire-Threat District in the newly added areas no later than 18 months after an updated map is posted on the Tree Mortality Task Force's website. The one exception is that compliance with the time-of-trim

clearance guidelines in Appendix E of GO 95, as amended by today's Decision, should start no later than 18 months after an updated map of Zone 1 is posted on the Tree Mortality Task Force's website. It should be the responsibility of each utility to monitor this website for updated maps of Zone 1.

16. The Director of SED should confer with CAL FIRE, via the Interagency Fire Safety Working Group established by the CPUC-CAL FIRE MOU and/or other channels of communication deemed appropriate by the Director, regarding the matters specified in Section 7 of today's Decision. After conferring with CAL FIRE, the Director should submit a written report to the Commission and the Commission's Executive Director, within six months from the issuance date of today's Decision, that provides the Director's recommendations regarding the matters specified in Section 7 of today's Decision. The Director should concurrently post a copy of the report (or a link to the report) on SED's section of the Commission's website.

17. The Commission is the lead agency under CEQA with respect to the regulations adopted by this Decision.

18. The regulations adopted by this Decision are exempt from CEQA pursuant to one or more of the statutory exemptions or categorical exemptions identified in the body of this Decision.

19. There is no need for an evidentiary hearing regarding the matters decided by this Decision.

20. The following order should be effective immediately so that the adopted revisions to GO 95, GO 165, GO 166, and Tariff Rule 11 may be implemented expeditiously.

O R D E R

IT IS ORDERED that:

1. General Order (“GO”) 95, GO 165, and GO 166 are revised to include the new and amended rules in Appendix B of this Decision. The Commission’s Safety and Enforcement Division (“SED”) shall revise GOs 95, 165, and 166 to incorporate the new and amended rules in Appendix B and publish the revised General Orders on the Commission’s website within 60 days from the issuance date shown on the first page of this Decision. SED shall make any ministerial revisions to GO 95, GO 165, and GO 166 that may be necessary to incorporate the new and amended rules in Appendix B of this Decision.

2. Each electric investor-owned utility (“Electric IOU”) shall file an annual report beginning October 31, 2018, pursuant to General Order (“GO”) 166, Standard 11, that contains a fire-prevention plan for the Electric IOU’s overhead electric facilities in the High Fire-Threat District. The fire-prevention plan shall contain the information specified in GO 166, Standard 1, Part E, to the extent applicable to the Electric IOU’s service territory.

3. The increased time-of-trim guidelines in Appendix E of General Order 95, as amended by today’s Decision, apply to vegetation trims starting no later than September 1, 2018, in Tier 3 and starting no later than June 30, 2019, in Zone 1 and Tier 2 of the High Fire-Threat District.

4. With the exception of the implementation instructions set forth in Ordering Paragraphs 2 and 3, the new and amended regulations adopted by today’s Decision that apply to Zone 1, Tier 2, and/or Tier 3 of the High Fire-Threat District shall be:

- i. Fully implemented in Tier 3 statewide by September 1, 2018, including full compliance with requirements pertaining to frequency of inspections and Case 14 vegetation clearances.
- ii. Fully implemented in Zone 1 and Tier 2 statewide by June 30, 2019, including full compliance with requirements pertaining to frequency of inspections and Case 14 vegetation clearances.

5. Where Zone 1 fire-threat areas overlap with Tier 2 or Tier 3 fire-threat areas, and the fire-safety regulations that apply to Zone 1 are different than the fire-safety regulations that apply to Tier 2 or Tier 3, the strictest fire-safety regulations for the overlapping areas shall apply.

6. With one exception, if and when the fire-threat map for Zone 1 (i.e., the Unites States Forest Service - CAL FIRE joint map of Tree Mortality High Hazard Zones) is updated, and the updated map includes areas that are newly added to the High Fire-Threat District, utilities shall achieve full compliance with fire-safety regulations that apply specifically to the High Fire-Threat District in the newly added areas no later than 18 months after an updated map is posted on the Tree Mortality Task Force's website. The one exception is that compliance with the time-of-trim clearance guidelines in Appendix E of General Order 95, as amended by today's Decision, shall start no later than 18 months after an updated map of Zone 1 is posted on the Tree Mortality Task Force's website. It will be the responsibility of each utility to monitor this website for updated maps of Zone 1.

7. Electric investor-owned utilities ("Electric IOUs") shall file and serve a Tier 3 advice letter to revise Electric Tariff Rule 11 to conform to the pro forma Electric Tariff Rule 11 in Appendix B of this Decision. Electric IOUs shall file and serve the Tier 3 advice letter no later than 90 days from the issuance date of this Decision that is stated on page 1 of this Decision, at the upper right corner.

8. Any utility with deregulated rates or rate flexibility that seeks to place a line-item charge on its customer bills to recover costs that are incurred as a result of this proceeding must not state or imply that the line-item charge is mandated or approved by the Commission.

9. The electric investor-owned utilities (“Electric IOUs”) and Small Incumbent Local Exchange Carriers (“Small ILECs”) shall use the following procedures to request the recovery of the costs they incur to implement the regulations adopted by this Decision:

- i. The Electric IOUs and Small ILECs may only seek to recover costs that are recorded in the Fire Hazard Prevention Memorandum Accounts (FHPMAs) they have established pursuant to decisions issued in Rulemaking 08-11-005. Companies shall record in their FHPMAs only those costs that are not being recovered elsewhere. For the purpose of this Decision, the term “IOUs” includes Southern California Gas Company to the extent it operates overhead power-line facilities that are subject to the Commission’s jurisdiction.
- ii. Each Electric IOU may file one or more applications to request the recovery of the costs recorded in its FHPMA. The number and timing of applications will be at the discretion of the Electric IOU. Each Electric IOU may continue to use this procedure until the first general rate case (GRC) that occurs after the close of this proceeding. At that time, the Electric IOU shall close its FHPMA and thereafter use the GRC mechanism to request recovery of the costs it incurs to comply with the regulations adopted by this Decision. The Electric IOU may seek to recover the ending balance in its FHPMA, if any, by filing an application.
- iii. Each Small ILEC may use its annual California High Cost Fund-A (CHCF-A) Tier 3 advice letter to request the recovery of costs recorded in its FHPMA. Each Small ILEC may continue to use this procedure until the first GRC that occurs after the close of this proceeding. At that time, the Small ILEC shall close its FHPMA and thereafter use the GRC mechanism

to request recovery of the costs it incurs to comply with the regulations adopted by this Decision. The Small ILEC may seek to recover the ending balance in its FHPMA, if any, in its annual CHCF-A advice letter.

- iv. A Small ILEC shall close its FHPMA when its authority to seek financial support from the CHCF-A reaches zero percent (0.0%). The company's authority to seek recovery of any costs remaining in its FHPMA will expire upon the closure of its FHPMA.
- v. The Small ILECs that have opted out of the CHCF-A may seek to recover the costs recorded in their FHPMAs in their next GRC filing, if any. Their authority to seek recovery of such costs will end when the window to file their next GRC has closed, at which time their FHPMAs shall be terminated.

10. The Director of the Commission's Safety and Enforcement Division or the Director's designee (together, "Director") shall consult with the California Department of Forestry and Fire Protection ("CAL FIRE"), via the Interagency Fire Safety Working Group established by the CPUC-CAL FIRE Memorandum of Understanding and/or other channels of communication deemed appropriate by the Director, regarding the following fire-safety measures:

- i. The development of a statewide fire-wind map by CAL FIRE (or under CAL FIRE's oversight) for the purpose of establishing fire-wind-load standards and possibly other fire-safety regulations tied to the map. If the Director and CAL FIRE determine that the development of a statewide fire-wind map and associated fire-safety regulations has merit and is feasible, the Director shall also confer with CAL FIRE regarding each agency's roles and responsibilities with respect to the development, funding, and implementation of the fire-wind map and fire-safety regulations tied to the map.
- ii. Adoption of a six-month maximum timeframe for correcting Priority Level 2 fire-safety risks in Tier 2 of the High Fire-Threat District.

11. After conferring with the California Department of Forestry and Fire Protection pursuant to the previous Ordering paragraph, the Director of the Commission's Safety and Enforcement Division or the Director's designee (together, "Director") shall submit a written report to the Commission and the Commission's Executive Director, within six months from the issuance date of this Decision, that provides the Director's recommendations regarding whether and how to proceed with (a) the development and adoption of a statewide fire-wind map, (b) the development and adoption of fire-wind-load standards and possibly other fire-safety regulations tied to the fire-wind map, and (c) the adoption of a six-month timeframe for correcting Priority Level 2 fire risks in Tier 2 fire-threat areas. The Director shall concurrently post a copy of the report (or a link to the report) on SED's section of the Commission's website.

12. This proceeding remains open to complete the Commission's review and adoption of the High Fire-Threat District Map.

This order is effective today.

Dated December 14, 2017, at San Francisco, California.

MICHAEL PICKER
President
CARLA J. PETERMAN
LIANE M. RANDOLPH
MARTHA GUZMAN ACEVES
CLIFFORD RECHTSCHAFFEN
Commissioners

Appendix A: Proposed Regulations

Appendix A shows the proposed revisions to General Orders 95, 165, and 166, and Electric Tariff Rule 11 with ~~strikeout~~ and underline.

Consensus Proposed Regulation 4 re: GO 95, Rule 18-A (FSTP)
Proposed Revisions to Rule 18-A Shown with Strikeout and Underline

18 Reporting and Resolution of Safety Hazards Discovered by Utilities

For purposes of this rule, "Safety Hazard" means a condition that poses a significant threat to human life or property.

"Southern California" is defined as the following: Imperial, Los Angeles, Orange, Riverside, Santa Barbara, San Bernardino, San Diego, and Ventura Counties.

~~"Extreme and Very High Fire Threat Zones" are defined on the Fire and Resource Assessment Program (FRAP) Map prepared by the California Department of Forestry and Fire Protection or the modified FRAP Map prepared by San Diego Gas & Electric Company (SDG&E) and adopted by Decision 12-02-032 in Phase 2 of Rulemaking 08-11-005. All entities subject to Rule 18 shall use the FRAP Map to implement Rule 18, except that SDG&E may use its modified FRAP Map to implement Rule 18.~~

A. Resolution of Safety Hazards and General Order Nonconformances

- (1)(a) Each company (including utilities and CIPs) is responsible for taking appropriate corrective action to remedy Safety Hazards and GO 95 nonconformances posed by its facilities.
 - (b) Upon completion of the corrective action, the company's records shall show, with sufficient detail, the nature of the work, the date, and the identity of persons performing the work. These records shall be preserved by the company for at least ten (10) years and shall be made available to Commission staff upon 30 days notice.
 - (c) Where a communications company's or an electric utility's actions result in GO nonconformances for another entity, that entity's remedial action will be to transmit a single documented notice of identified nonconformances to the communications company or electric utility for compliance.
- (2)(a) All companies shall establish an auditable maintenance program for their facilities and lines. All companies must include a timeline for corrective actions to be taken following the identification of a Safety Hazard or nonconformances with General Order 95 on the company's facilities. The auditable maintenance program shall prioritize corrective actions consistent with the priority levels set forth below and based on the following factors, as appropriate:
 - Safety and reliability as specified in the priority levels below;
 - Type of facility or equipment;
 - Location, including whether the Safety Hazard or

nonconformance is located in ~~an Extreme or Very High Fire Threat Zone in~~ Southern California and within Tier 3 of the High Fire-Threat District;

- Accessibility;
- Climate;
- Direct or potential impact on operations, customers, electrical company

There shall be 3 priority levels.

(i) Level 1:

- Immediate safety and/or reliability risk with high probability for significant impact.
- Take action immediately, either by fully repairing the condition, or by temporarily repairing and reclassifying the condition to a lower priority.

(ii) Level 2:

- Variable (non-immediate high to low) safety and/or reliability risk.
- Take action to correct within specified time period (fully repair, or by temporarily repairing and reclassifying the condition to a lower priority). Time period for correction to be determined at the time of identification by a qualified company representative, but not to exceed: (1) 12 months for nonconformances that compromise worker safety, (2) 12 months for nonconformances that create a fire risk, are located in ~~an Extreme or Very High Fire Threat Zone in~~ Southern California, and within Tier 3 of the High Fire-Threat District, and (3) 59 months for all other Level 2 nonconformances.

(iii) Level 3:

- Acceptable safety and/or reliability risk.
- Take action (re-inspect, re-evaluate, or repair) as appropriate.

(b) Correction times may be extended under reasonable circumstances, such as:

- Third party refusal
- Customer issue
- No access
- Permits required
- System emergencies (e.g. fires, severe weather conditions)

(3) Companies that have existing General Order 165 auditable inspection and maintenance programs that are consistent with the purpose of Rule 18A shall continue to follow their General Order 165 programs.

Consensus Proposed Regulation 23 re: GO 95, Rule 21.2 (SCE)

**Proposed Revisions to Rule 21.2 Consists of New Rule 21.2-D
and Is Shown with Underline**

21.2 Districts mean areas as defined in the following:

- A. **Urban Districts** mean thickly settled areas (whether in cities or suburbs) or where congested traffic often occurs. Highways on which traffic is often very heavy or locations such as picnic grounds, summer resorts, etc., where people congregate seasonally, are considered as urban.
- B. **Rural Districts** mean all areas not urban, usually in the country but in some cases within city limits.
- C. **Loading Districts** mean those areas in which the specified loadings of Rule 43 apply and are known as “Heavy” and “Light” loading districts.
- D. **High Fire Threat District** means those areas comprised of the following:
 - (1) **Tree Mortality (TM) Zone** is Tier 1 of the latest version of the United States Forest Service (USFS) and CAL FIRE’s joint map of Tree Mortality High Hazard Zones (HHZs). (Note: The Tree Mortality HHZs Map may be revised regularly by the USFS and CAL FIRE.)
 - (2) **Tier 2** is Tier 2 of the CPUC Fire Threat Map.
 - (3) **Tier 3** is Tier 3 of the CPUC Fire Threat Map.

Note: There are ancillary proposed changes to GO 95 at: Section II List of Definitions at pages II-1 through II-4; and Index at pages Index-12 and Index-17. See the FSTP Workshop Report at pages A-17 through A-22.

**Contested Proposed Regulation 1 re: GO 95, Rule 17 (Laguna Beach)
Proposed Revisions to Rule 17 Consists of New Rule 17(2)
and Is Shown with Underline**

17 Investigation of Accidents

A. Each owner or operator of utility power lines shall establish procedures for the Investigation of major accidents and failures for the purpose of determining the causes and minimizing the possibility of recurrence. Nothing in this rule is intended to extend, waive, or limit any claim of attorney client privilege and/or attorney work product privilege.

(1) Definition of major accidents and failures:

- (a)** Incidents associated with utility facilities which cause property damage estimated at or about the time of the incident to be more than \$50,000.
- (b)** Incidents resulting from electrical contact which cause personal injury which require hospitalization overnight, or result in death.

EXCEPTION: Does not apply to motor vehicle caused incidents.

(2) Each owner or operator of utility power lines shall be required to establish procedures for the Investigation of major accidents and failures that occur within service territory areas designated as Tier 2 or Tier 3 of the High Fire-Threat District, which shall include incidents that result from motor vehicle collisions with utility facilities that cause property damage estimated at or about the time of the incident to be more than \$50,000, excluding the cost of damage to a motor vehicle in the course of the incident. These procedures shall be made available to the city or county having jurisdiction where the incident occurs.

**Contested Proposed Regulation 2 re: GO 95, New Rule "X" (Laguna Beach)
The Proposed New Rule "X" Is Shown with Underline**

X. Plan to Address Safety Hazards and Establish Preventative Measures

- A. Each investor-owned electric utility shall be required to develop a Plan for identifying and correcting fire safety hazards that fall within service areas designated as Tiers 2 or 3 its service territory. This Plan shall include an outreach program to cities and counties for specific projects. In collaboration with the affected city or county, the company plan will (i) identify the specific areas affected, (ii) establish the priority for each project that will require taking corrective action, and (iii) agree on the corrective methods by which such safety issues shall be addressed.
- B. Each Plan to take corrective action as to fire safety hazards within any city or county shall prioritize projects that address primary access roads that are utilized as evacuation routes in the event of wildfire, or access roads that serve as primary points of ingress and egress for emergency responders. Each Plan shall include as a potential corrective action the hardening or undergrounding of the electric system or related utility infrastructure that is along or adjacent to such access roads.
- C. Each investor-owned electric utility shall have one (1) year from the effective date of this regulation to develop its initial Plan and submit the Plan to the Commission and serve the Plan to affected communities. Commission staff will review and refer for mediation any possible disputes that arise between the utility and the affected locality. Each company that is required to file a General Rate Case (GRC) shall include an updated Plan for review and approval in each GRC cycle.

Contested Proposed Regulation 3 re: GO 95, Rule 18-A (SDG&E)
Proposed Revisions to Rule 18-A Are Shown with Strikeout and Underline

18 Reporting and Resolution of Safety Hazards Discovered by Utilities

For purposes of this rule, "Safety Hazard" means a condition that poses a significant threat to human life or property.

~~"Southern California" is defined as the following: Imperial, Los Angeles, Orange, Riverside, Santa Barbara, San Bernardino, San Diego, and Ventura Counties.~~

~~"Extreme and Very High Fire Threat Zones" are defined on the Fire and Resource Assessment Program (FRAP) Map prepared by the California Department of Forestry and Fire Protection or the modified FRAP Map prepared by San Diego Gas & Electric Company (SDG&E) and adopted by Decision 12-02-032 in Phase 2 of Rulemaking 08-11-005. All entities subject to Rule 18 shall use the FRAP Map to implement Rule 18, except that SDG&E may use its modified FRAP Map to implement Rule 18.~~

A. Resolution of Safety Hazards and General Order 95 Non-conformances

- (1)(a) Each company (including utilities and CIPs) is responsible for taking appropriate corrective action to remedy Safety Hazards and GO 95 non-conformances posed by its facilities.
 - (b) Upon completion of the corrective action, the company's records shall show, with sufficient detail, the nature of the work, the date, and the identity of persons performing the work. These records shall be preserved by the company for at least ten (10) years and shall be made available to Commission staff upon 30-day notice.
 - (c) Where a communications company's or an electric utility's actions result in GO non-conformances for another entity, that entity's remedial action will be to transmit a single documented notice of identified non-conformances to the communications company or electric utility for compliance.
- (2)(a) All companies shall establish an auditable maintenance program for their facilities and lines. All companies must

include a timeline for corrective actions to be taken following the identification of a Safety Hazard or non-conformances with General Order 95 on the company's facilities. The auditable maintenance program shall prioritize corrective actions consistent with the priority levels set forth below and based on the following factors, as appropriate:

- Safety and reliability as specified in the priority levels below;
- Type of facility or equipment;
- Location, including whether the Safety Hazard or nonconformance is ~~located in an Extreme or Very High Fire Threat Zone in Southern California Tier 2 or Tier 3 of the High Fire-Threat District;~~
- Accessibility;
- Climate;
- Direct or potential impact on operations, customers, electrical company workers, communications workers, and the general public.

There shall be 3 priority levels.

(i) Level 1:

- Immediate safety and/or reliability risk with high probability for significant impact.
- Take action immediately, either by fully repairing the condition, or by temporarily repairing and reclassifying the condition to a lower priority.

(ii) Level 2:

- Variable (non-immediate high to low) safety and/or reliability risk.
- Take action to correct within specified time period (fully repair, or by temporarily repairing and reclassifying the condition to a lower priority). Time period for correction to be determined at the time of identification by a qualified company representative, but not to exceed: (1) 12 months for non-conformances that compromise worker safety, ~~(2) 12 months for non-~~

~~conformances that create a fire risk and are located in an Extreme or Very High Fire Threat Zone in Southern California,~~ and ~~(3)(2)~~ 59 months for all other Level 2 non-conformances.

(iii) Level 3:

- Acceptable safety and/or reliability risk.
- Take action (re-inspect, re-evaluate, or repair) as appropriate.

(b) Any equipment conditions or facilities that pose an elevated fire ignition risk within Tiers 2 and 3 of the High Fire-Threat District shall be resolved by the responsible party within 6 months of discovery unless a quicker resolution is otherwise required.

~~(c)(b)~~ Correction times may be extended under reasonable circumstances, such as:

- Third party refusal
- Customer issue
- No access
- Permits required
- System emergencies (e.g. fires, severe weather conditions)

(3) Companies that have existing General Order 165 auditable inspection and maintenance programs that are consistent with the purpose of Rule 18A shall continue to follow their General Order 165 programs.

**Contested Proposed Regulation 4, Alternate Proposal 1 re:
GO 95, Rule 18-A (CIP Coalition)**

Proposed Revisions to Rule 18-A Are Shown with Strikeout and Underline

18 Reporting and Resolution of Safety Hazards Discovered by Utilities

For purposes of this rule, "Safety Hazard" means a condition that poses a significant threat to human life or property.

~~"Southern California" is defined as the following: Imperial, Los Angeles, Orange, Riverside, Santa Barbara, San Bernardino, San Diego, and Ventura Counties.~~

~~"Extreme and Very High Fire Threat Zones" are defined on the Fire and Resource Assessment Program (FRAP) Map prepared by the California Department of Forestry and Fire Protection or the modified FRAP Map prepared by San Diego Gas & Electric Company (SDG&E) and adopted by Decision 12-02-032 in Phase 2 of Rulemaking 08-11-005. All entities subject to Rule 18 shall use the FRAP Map to implement Rule 18, except that SDG&E may use its modified FRAP Map to implement Rule 18.~~

A. Resolution of Safety Hazards and General Order 95 Non-conformances

- (1)(a) Each company (including utilities and CIPs) is responsible for taking appropriate corrective action to remedy Safety Hazards and GO 95 non-conformances posed by its facilities.
 - (b) Upon completion of the corrective action, the company's records shall show, with sufficient detail, the nature of the work, the date, and the identity of persons performing the work. These records shall be preserved by the company for at least ten (10) years and shall be made available to Commission staff upon 30-days' notice.
 - (c) Where a communications company's or an electric utility's actions result in GO non-conformances for another entity, that entity's remedial action will be to transmit a single documented notice of identified non-conformances to the communications company or electric utility for compliance.
- (2)(a) All companies shall establish an auditable maintenance

program for their facilities and lines. All companies must include a timeline for corrective actions to be taken following the identification of a Safety Hazard or non-conformances with General Order 95 on the company's facilities. The auditable maintenance program shall prioritize corrective actions consistent with the priority levels set forth below and based on the following factors, as appropriate:

- Safety and reliability as specified in the priority levels below;
- Type of facility or equipment;
- Location, including whether the Safety Hazard or nonconformance is located in ~~an Extreme or Very High Fire-Threat Zone in Southern California~~ the High Fire-Threat District;
- Accessibility;
- Climate;
- Direct or potential impact on operations, customers, electrical company workers, communications workers, and the general public.

There shall be 3 priority levels.

(i) Level 1:

- Immediate safety and/or reliability risk with high probability for significant impact.
- Take action immediately, either by fully repairing the condition, or by temporarily repairing and reclassifying the condition to a lower priority.

(ii) Level 2:

- Variable (non-immediate high to low) safety and/or reliability risk.
- Take action to correct within specified time period (fully repair, or by temporarily repairing and reclassifying the condition to a lower priority). Time period for correction to be determined at the time of identification by a qualified company representative, but not to exceed: Time period for correction to be

determined at the time of identification by a qualified company representative, but not to exceed: (1) ~~6~~ 12 months for nonconformances that create a fire risk and are located in ~~an Extreme or Very High Fire Threat Zone in Southern California Tier 3 of the High Fire-Threat District~~, (2) 12 months for non-conformances that compromise worker safety, and (3) 59 months for all other Level 2 non-conformances.

(iii) Level 3:

- Acceptable safety and/or reliability risk.
- Take action (re-inspect, re-evaluate, or repair) as appropriate.

(b) Correction times may be extended under reasonable circumstances, such as:

- Third party refusal
- Customer issue
- No access
- Permits required
- System emergencies (e.g. fires, severe weather conditions)

(3) Companies that have existing General Order 165 auditable inspection and maintenance programs that are consistent with the purpose of Rule 18A shall continue to follow their General Order 165 programs.

Contested Proposed Regulation 5 re: GO 95, Rule 31.1 (SDG&E)
Proposed Revisions to Rule 31.1 Are Shown with Underline

31.1 Design, Construction and Maintenance

Electrical supply and communication systems shall be designed, constructed, and maintained for their intended use, regard being given to the conditions under which they are to be operated, to enable the furnishing of safe, proper, and adequate service.

For all particulars not specified in these rules, design, construction, and maintenance should be done in accordance with accepted good practice for the given local conditions known at the time by those responsible for the design, construction, or maintenance of communication or supply lines and equipment.

A supply or communications company is in compliance with this rule if it designs, constructs, and maintains a facility in accordance with the particulars specified in General Order 95, except that if an intended use or known local conditions require a higher standard than the particulars specified in General Order 95 to enable the furnishing of safe, proper, and adequate service, the company shall follow the higher standard.

For all particulars not specified in General Order 95, a supply or communications company is in compliance with this rule if it designs, constructs and maintains a facility in accordance with accepted good practice for the intended use and known local conditions.

All work performed on public streets and highways shall be done in such a manner that the operations of other utilities and the convenience of the public will be interfered with as little as possible and no conditions unusually dangerous to workmen, pedestrians or others shall be established at any time.

Any equipment conditions or facilities that pose an elevated fire ignition risk within Tiers 2 and 3 of the High Fire-Threat District shall be resolved by the responsible party within 6 months of discovery unless a quicker resolution is otherwise required as per Rule 18 Section A.

Note: The standard of accepted good practice should be applied on a case by case basis. For example, the application of “accepted good practice” may be aided by reference to any of the practices, methods, and acts engaged in or approved by a significant portion of the relevant industry, or which may be expected to accomplish the desired result with regard to safety and reliability at a reasonable cost.

**Contested Proposed Regulation 6 re: GO 95, Rule 31.5 (SDG&E)
Proposed Revisions to Rule 31.5 Are Shown with Underline**

31.5 Joint Use of Poles

Joint use of poles shall be given consideration by all interested parties where construction or reconstruction is involved and where used it shall be subject to the appropriate grade of construction as specified in Section IV. Nothing herein shall be construed as requiring joint use of the same poles, or as granting authority for the use of any poles without the owner's consent (see Rule 32.2 and Section IX).

In Tiers 2 and 3 of the High Fire-Threat District, all attachments must have the consent of a pole owner or granting authority prior to any construction. Any attachment without consent can be reported to the Commission.

Each party should definitely designate its space requirements on joint poles, which space shall not be occupied without consent, by equipment of any other party.

Non-climbable poles in partial underground distribution systems (see Rules 22.6-D and 22.5) shall not be jointly used.

Contested Proposed Regulation 7 re: GO 95, Rule 35, Table 1, Case 14 and Reference (hhh) (FSTP)

Proposed Revisions to Rule 35, Table 1 Are Shown with Strikeout and Underline

Case No.	Nature of Clearance	Wire or Conductor Concerned						
		A Span Wires (Other than Trolley Span Wires) Overhead Guys and Messengers	B Communication Conductors (Including Open Wire, Cables and Service Drops), Supply Service Drops of 0 - 750 Volts	C Trolley Contact, Feeder and Span Wires, 0 - 5,000 Volts	D Supply Conductors of 0 - 750 Volts and Supply Cables Treated as in Rule 57.8	E Supply Conductors and Supply Cables, 750 - 22,500 Volts	F Supply Conductors and Supply Cables, 22.5 - 300 kV	G Supply Conductors and Supply Cables, 300 - 550 kV (mm)
14	Radial clearance of bare line conductors from vegetation in Extreme and Very High Fire Threat Zones in Southern California <u>and Tier 3 of the High Fire-Threat District</u> (aaa) (ddd) (hhh)(jjj)			18 inches (bbb)		48 inches (bbb) (iii)	48 inches (fff)	120 inches (ggg)

References to Rules Modifying Minimum Clearances in Table 1

(hhh) ~~Extreme and Very High Fire Threat Zones are defined by California Department of Forestry and Fire Protection's Fire and Resource Assessment Program (FRAP) Fire Threat Map. The FRAP Fire Threat Map is to be used to establish approximate boundaries for purposes of this rule. The boundaries of the map are to be broadly construed, and utilities should use their own expertise and judgment to determine if local conditions require them to adjust the boundaries of the map.~~ Southern California is defined as the following: Imperial, Los Angeles, Orange, Riverside, Santa Barbara, San Bernardino, San Diego, and Ventura Counties.

Contested Proposed Regulation 7, Alternate Proposal 1 re: GO 95, Rule 35, Table 1, Case 14 and Reference (hhh) (SED)

Proposed Revisions to Rule 35, Table 1 Are Shown with Strikeout and Underline

Case No.	Nature of Clearance	Wire or Conductor Concerned						
		A Span Wires (Other than Trolley Span Wires) Overhead Guys and Messengers	B Communication Conductors (Including Open Wire, Cables and Service Drops), Supply Service Drops of 0 - 750 Volts	C Trolley Contact, Feeder and Span Wires, 0 - 5,000 Volts	D Supply Conductors of 0 - 750 Volts and Supply Cables Treated as in Rule 57.8	E Supply Conductors and Supply Cables, 750 - 22,500 Volts	F Supply Conductors and Supply Cables, 22.5 - 300 kV	G Supply Conductors and Supply Cables, 300 - 550 kV (mm)
14	Radial clearance of bare line conductors from vegetation in Extreme and Very High Fire Threat Zones in Southern California <u>the High Fire-Threat District</u> (aaa) (ddd) (hhh)(jjj)			18 inches (bbb)		48 inches (bbb) (iii)	48 inches (fff)	120 inches (ggg)

References to Rules Modifying Minimum Clearances in Table 1
 (hhh) ~~Extreme and Very High Fire Threat Zones are defined by California Department of Forestry and Fire Protection's Fire and Resource Assessment Program (FRAP) Fire Threat Map. The FRAP Fire Threat Map is to be used to establish approximate boundaries for purposes of this rule. The boundaries of the map are to be broadly construed, and utilities should use their own expertise and judgment to determine if local conditions require them to adjust the boundaries of the map. Southern California is defined as the following: Imperial, Los Angeles, Orange, Riverside, Santa Barbara, San Bernardino, San Diego, and Ventura Counties. The High Fire-Threat District is defined in GO 95, Rule 21.2-D.~~

Contested Proposed Regulation 7, Alternate Proposal 2 re: GO 95, Rule 35, Table 1, Case 14 and Reference (hhh) (PG&E)

Proposed Revisions to Rule 35, Table 1 Are Shown with Strikeout and Underline

Case No.	Nature of Clearance	Wire or Conductor Concerned						
		A	B	C	D	E	F	G
		Span Wires (Other than Trolley Span Wires) Overhead Guys and Messengers	Communication Conductors (Including Open Wire, Cables and Service Drops), Supply Service Drops of 0 - 750 Volts	Trolley Contact, Feeder and Span Wires, 0 - 5,000 Volts	Supply Conductors of 0 - 750 Volts and Supply Cables Treated as in Rule 57.8	Supply Conductors and Supply Cables, 750 - 22,500 Volts	Supply Conductors and Supply Cables, 22.5 - 300 kV	Supply Conductors and Supply Cables, 300 - 550 kV (mm)
14	Radial clearance of bare line conductors from vegetation in Extreme and Very High Fire Threat Zones in Southern California Tier 3 of the High Fire-Threat District (aaa) (ddd) (hhh) (jjj)			18 inches (bbb)		48 inches (bbb) (iii)	48 inches (fff)	120 inches (ggg)

References to Rules Modifying Minimum Clearances in Table 1

~~(hhh) Extreme and Very High Fire Threat Zones are defined by California Department of Forestry and Fire Protection's Fire and Resource Assessment Program (FRAP) Fire Threat Map. The FRAP Fire Threat Map is to be used to establish approximate boundaries for purposes of this rule. The boundaries of the map are to be broadly construed, and utilities should use their own expertise and judgment to determine if local conditions require them to adjust the boundaries of the map. Southern California is defined as the following: Imperial, Los Angeles, Orange, Riverside, Santa Barbara, San Bernardino, San Diego, and Ventura Counties.~~

Contested Proposed Regulation 8 re: GO 95, Rule 38 (SDG&E)
Proposed Revisions to Rule 38 Are Shown with Underline

38 Minimum Clearances of Wires from Other Wires

The minimum vertical, horizontal or radial clearances of wires from other wires shall not be less than the values given in Table 2 and are based on a temperature of 60° F. and no wind. Conductors may be deadended at the crossarm or have reduced clearances at points of transposition, and shall not be held in violation of Table 2, Cases 8-15, inclusive.

The clearances in Table 2 shall in no case be reduced more than 10 percent, except mid-span in Tier 3 of the High Fire-Threat District where they shall be reduced by no more than 5 percent, because of temperature and loading as specified in Rule 43 or because of a difference in size or design of the supporting pins, hardware or insulators. All clearances of less than 5 inches shall be applied between surfaces, and clearances of 5 inches or more shall be applied to the center lines of such items. The utilities of interest (including electric supply and/or communication companies) shall cooperate and provide relevant information for sag calculations for their facilities, upon request.

Contested Proposed Regulation 9 re: GO 95, Rule 40 (SDG&E)
Proposed Revisions to Rule 40 Are Shown with Underline

40 General

The following rules cover mechanical strength requirements for each class of line (see Rule 20.6), either alone or involved in crossings, conflicts or joint use of poles. The rules of this section are supplemented in many instances by provisions in other sections. If an owner of a line has established condition-based mechanical strength requirements for areas within the High Fire-Threat District that are more stringent than those set forth in the following rules, then all parties seeking to attach to such lines shall comply with the more stringent requirements.

**Contested Proposed Regulation 10 re: GO 95, New Rule 43.2-A(2) (SDG&E)
Proposed Revisions to Rule 43.2-A Are Shown with Underline**

43.2 Light Loading

Light loading shall apply in all parts of the State of California where the elevation above sea level is 3000 feet or less (see Appendix A for map). This loading shall be taken as the resultant of wind pressure and deadweight under the following conditions:

A. Wind

(1). Wind Load: A horizontal wind pressure of 8 pounds per square foot of projected area on cylindrical surfaces, and 13 pounds per square foot on flat surfaces shall be assumed. Where latticed structures are used, the actual exposed area of one lateral face shall be increased by 50% to allow for pressure on the opposite face, provided this computation does not indicate a greater pressure than would occur on a solid structure of the same outside dimensions, under which conditions the latter shall be taken.

(2). Wind Load Factor: For lines located within Tiers 2 and/or 3 of the High Fire-Threat District the wind loads of Rule 43.2.A.1 shall be multiplied by a wind load factor of 1.1.

Contested Proposed Regulation 11 re: GO 95, New Rule 43.3 (MGRA)
Proposed New Rule 43.3 Is Shown with Underline

43.3 Fire-Threat Loading

Fire threat loading shall apply in all parts of the State of California designated as Tier 2 or Tier 3 of the High Fire-Threat District. This loading shall be taken as the resultant of wind pressure and deadweight under the following conditions:

A. Wind

Horizontal wind pressures for cylindrical surfaces fire threat zones shall be determined from the statewide Fire Weather Wind Loading map as applied in Tier 2 and Tier 3. Wind loading values specified in Rule 43.2.A shall be multiplied by wind load factor specified in the statewide Fire Weather Wind Loading Map.

Horizontal wind pressures on flat surfaces shall be 1.625 times the value for cylindrical surfaces. Where latticed structures are used, the actual exposed area of one lateral face shall be increased by 50% to allow for pressure on the opposite face, provided this computation does not indicate a greater pressure than would occur on a solid structure of the same outside dimensions, under which conditions the latter shall be taken.

B. Ice

No ice loading is to be considered.

C. Temperature

Conductor temperature shall be assumed to be 25°F at the time of maximum loading. A conductor temperature of at least 130°F shall also be assumed for computing sag and its effect on structural loads due to weight span.

Contested Proposed Regulation 12 re: GO 95, Rule 44.3 (SDG&E)

Proposed Revisions to Rule 44.3 Are Shown with Underline.

Note: Proposed Text Incorporates the Editorial Revisions Set Forth in SDG&E's Comments Filed on July 31, 2017, at pages 7-8.

44.3 Replacement

Lines or parts thereof shall be replaced or reinforced before safety factors have been reduced (due to factors such as deterioration and/or installation of additional facilities) in Grades "A" and "B" construction to less than two-thirds of the safety factors specified in Rule 44.1 and in Grade "C" construction to less than one-half of the safety factors specified in Rule 44.1. Poles in Grade "C" construction that only support communication lines shall also conform to the requirements of Rule 81.3-A. In no case shall the application of this rule be held to permit the use of structures or any member of any structure with a safety factor less than one.

For wood poles supporting supply lines in Tier 3 of the High Fire-Threat District the factors contributing to the allowed reductions to the safety factors specified in Rule 44.1 shall be limited to deterioration and/or in kind replacement of equipment (excluding conductors, cables, messengers and span wires interconnecting multiple poles) on an individual pole. However, in no case shall the addition of new facilities decrease the safety factors below the values prescribed in Table 4.

Note: Allowed reductions specified in this rule are modified by Table 4, Footnotes.

Note: Revised January 13, 2005 by Decision No. 0501030, January 12, 2012 by Decision No. 12-01-032 and February 5, 2014 by Decision No. 14-02-015.

**Contested Proposed Regulation 13 re: GO 95, Rule 48 (SDG&E)
Proposed Revisions to Rule 48 Are Shown with Strikeout.**

48 Strength of Materials

Structural members and their connection shall be designed and constructed so that the structures and parts thereof will not fail or be seriously distorted at any load less than their maximum working loads (developed under the current construction arrangements with loadings as specified in Rule 43) ~~multiplied by the safety factors in Rule 44.~~

Values used for the strength of material shall comply with the safety factors specified in Rule 44.

Note: Revised February 5, 2014 by Decision No. 14-02-015.

**Contested Proposed Regulation 14 re: GO 95, New Rule 53.5 (PG&E)
Proposed New Rule 53.5 Is Shown with Underline.**

Note: PG&E's Proposed Text for Ancillary Amendments to GO 95's Index and Table of Content for Section V Is Not Reproduced Below.

43.5 Burning of Supports - Circuits of More than 7,500 Volts

In Tier 3 of the High Fire-Threat District, precautions shall be taken to guard against leakage current burning wood parts of the supporting structure.

Contested Proposed Regulation 15 re: GO 95, Rule 80.1-A(1) (SDG&E)
Proposed Revisions to Rule 80.1-A(1) Are Shown with Strikeout and Underline.

80.1 Inspection Requirements for Communication Lines:

A. patrol and detailed inspections

(1) Inspection Requirements for Joint-Use Poles in High Fire-Threat District Areas

In high Tiers 2 and 3 fire-threat areas, the inspection intervals for (i) Communication Lines located on Joint Use Poles (See Rule 21.8) that contain Supply Circuits (See Rule 20.6-D), and (ii) Communication Lines attached to a pole that is within three spans of a Joint Use Pole with Supply Circuits, shall not exceed the time specified in the following Table.

Inspection	<u>Northern California Tier 2</u>	<u>Southern California Tier 3</u>
patrol	2 Years	1 Year
Detailed	10 <u>8</u> Years	5 Years

Inspection intervals ~~and~~ shall be conducted more frequently than shown in the above table, if necessary, based on the five factors listed in Rule 80.1-A2, below.

For the purpose of implementing the patrol and detailed inspection intervals in the above Table ~~in the high fire-threat areas of the state~~, the term “year” is defined as 12 consecutive calendar months starting the first full calendar month after an inspection is performed, plus three full calendar months, not to exceed the end of the calendar year in which the next inspection is due. A required inspection may be completed any time before the expiration of the associated inspection interval using this definition of “year,” but not after. The completion of an inspection starts a new inspection interval that must be completed within the prescribed timeframe using this definition of “year.” However, inspection intervals may be extended by up to six months in areas where the Governor of California or the President of the United States has declared an emergency or a disaster following a major earthquake or other catastrophe using the procedure set forth in Decision 13-06-011 issued in Rulemaking 08-11-005. The extension shall not exceed six months from the date that an emergency is declared or the date that a disaster is declared, whichever is earlier.

For the purpose of the above Table, the high fire-threat areas in Northern California are areas designated as Tiers 2 and 3 of the High Fire-Threat District. ~~Threat Classes 3 and 4 on the Reax Map adopted by Decision 12-01-~~

~~032 issued in Phase 2 of Rulemaking 08-11-005.~~

~~For the purpose of implementing the patrol and detailed inspection intervals in the above Table in the high fire threat areas of the state, the term "year" is defined as 12 consecutive calendar months starting the first full calendar month after an inspection is performed, plus or minus two full calendar months, not to exceed the end of the calendar year in which the next inspection is due.~~

~~The FRAP Map and Reax Map are to be used to establish approximate boundaries.~~ Communications Infrastructure Providers should use their own expertise and judgment to determine if local conditions require them to adjust the boundaries of the map.

Inspections ~~in high fire threat areas~~ shall be planned and conducted in accordance with the statewide inspection requirements and procedures described in Rule 80.1-A2, below.

Each company's procedures shall describe (i) the methodology used to ensure that all Communication Lines are subject to the required inspections, and (ii) the procedures used for specifying what problems should be identified by the inspections. The procedures used for specifying what problems should be identified by the inspections shall include a checklist for patrol inspections.

Contested Proposed Regulation 16 re: GO 95, Rule 80.1-A(1) (FSTP)
Proposed Revisions to Rule 80.1-A(1) Are Shown with Strikeout and Underline.

80.1 Inspection Requirements for Communication Lines:

A. Patrol and Detailed Inspections

(1) Inspection Requirements for Joint-Use Poles in the High Fire-Threat District Areas

In high Tier 3 fire-threat areas, the inspection intervals for (i) Communication Lines located on Joint Use Poles (See Rule 21.8) that contain Supply Circuits (See Rule 20.6-D), and (ii) Communication Lines attached to a pole that is within three spans of a Joint Use Pole with Supply Circuits, shall not exceed the time specified in the following Table.

Inspection	Northern California	Southern California
Patrol	2 Years	1 Year
Detailed	10 Years	5 Years

Inspections intervals and shall be conducted more frequently than shown in the above table, if necessary, based on the five factors listed in Rule 80.1-A2, below.

For the purpose of implementing the patrol and detailed inspection intervals in the above Table in the high fire-threat areas of the state, the term “year” is defined as 12 consecutive calendar months starting the first full calendar month after an inspection is performed, plus three full calendar months, not to exceed the end of the calendar year in which the next inspection is due. A required inspection may be completed any time before the expiration of the associated inspection interval using this definition of “year,” but not after. The completion of an inspection starts a new inspection interval that must be completed within the prescribed timeframe using this definition of “year.” However, inspection intervals may be extended by up to six months in areas where the Governor of California or the President of the United States has declared an emergency or a disaster following a major earthquake or other catastrophe using the procedure set forth in Decision 13-06-011 issued in Rulemaking 08-11-005. The extension shall not exceed six months from the date that an emergency is declared or the date that a disaster is declared, whichever is earlier.

For the purpose of the above Table, the high fire-threat areas in Northern California are areas designated as Threat Classes 3 and 4 on the Reax Map adopted by Decision 12-01-032 issued in Phase 2 of Rulemaking 08-11-005. “Southern California” is defined as the following: Imperial, Los Angeles,

Orange, Riverside, Santa Barbara, San Bernardino, San Diego, and Ventura Counties. "Northern California" is defined as all other counties in California.

~~For the purpose of implementing the patrol and detailed inspection intervals in the above Table in the high fire threat areas of the state, the term "year" is defined as 12 consecutive calendar months starting the first full calendar month after an inspection is performed, plus or minus two full calendar months, not to exceed the end of the calendar year in which the next inspection is due.~~

~~The FRAP Map and Reax Map are to be used to establish approximate boundaries. Communications Infrastructure Providers should use their own expertise and judgment to determine if local conditions require them to adjust the boundaries of the map.~~

Inspections in high Tier 3 fire threat areas shall be planned and conducted in accordance with the statewide inspection requirements and procedures described in Rule 80.1-A2, below.

~~Each company's procedures shall describe (i) the methodology used to ensure that all Communication Lines are subject to the required inspections, and (ii) the procedures used for specifying what problems should be identified by the inspections. The procedures used for specifying what problems should be identified by the inspections shall include a checklist for patrol inspections.~~

**Contested Proposed Regulation 16, Alternate Proposal 1
re: GO 95, Rule 80.1-A(1) (CIP Coalition)**

Proposed Revisions to Rule 80.1-A(1) Are Shown with Strikeout and Underline.

80.1 Inspection Requirements for Communication Lines:

A. Patrol and Detailed Inspections

(1) Inspection Requirements for Joint-Use Poles in High Fire-Threat District Areas

In ~~high Tier 3 fire-threat areas~~, the inspection intervals for (i) Communication Lines located on Joint Use Poles (See Rule 21.8) that contain Supply Circuits (See Rule 20.6-D), and (ii) Communication Lines attached to a pole that is within three spans of a Joint Use Pole with Supply Circuits, shall not exceed the time specified in the following Table.

Inspection	Northern California	<u>Southern California Interval</u>
Patrol	2 Years	1 Year
Detailed	10 Years	5 Years

Inspection~~s intervals and~~ shall be conducted more frequently than shown in the above table, if necessary, based on the five factors listed in Rule 80.1-A2, below.

For the purpose of implementing the patrol and detailed inspection intervals in the above Table ~~Tier 3 in the high fire-threat areas of the state~~, the term “year” is defined as 12 consecutive calendar months starting the first full calendar month after an inspection is performed, plus three full calendar months, not to exceed the end of the calendar year in which the next inspection is due. A required inspection may be completed any time before the expiration of the associated inspection interval using this definition of “year,” but not after. The completion of an inspection starts a new inspection interval that must be completed within the prescribed timeframe using this definition of “year.” However, inspection intervals may be extended by up to six months in areas where the Governor of California or the President of the United States has declared an emergency or a disaster following a major earthquake or other catastrophe using the procedure set forth in Decision 13-06-011 issued in Rulemaking 08-11-005. The extension shall not exceed six months from the date that an emergency is declared or the date that a disaster is declared, whichever is earlier.

For the purpose of the above Table, the high fire-threat areas in Northern California are areas designated as Threat Classes 3 and 4 on the Reax Map

adopted by Decision 12- 01-032 issued in Phase 2 of Rulemaking 08-11-005.

~~For the purpose of implementing the patrol and detailed inspection intervals in the above Table in the high fire threat areas of the state, the term "year" is defined as 12 consecutive calendar months starting the first full calendar month after an inspection is performed, plus or minus two full calendar months, not to exceed the end of the calendar year in which the next inspection is due.~~

~~The FRAP Map and Reax Map are to be used to establish approximate boundaries.~~ Communications Infrastructure Providers should use their own expertise and judgment to determine if local conditions require them to adjust the boundaries of the map.

Inspections in ~~high fire threat areas~~ the High Fire-Threat District shall be planned and conducted in accordance with the statewide inspection requirements and procedures described in Rule 80.1-A2, below.

Each company's procedures shall describe (i) the methodology used to ensure that all Communication Lines are subject to the required inspections, and (ii) the procedures used for specifying what problems should be identified by the inspections. The procedures used for specifying what problems should be identified by the inspections shall include a checklist for patrol inspections.

(2) Statewide Inspection Requirements

Each company shall prepare, follow, and modify as necessary, procedures for conducting patrol or detailed inspections for all of its Communication Lines throughout the State. Consistent with Rule 31.2, the type, frequency and thoroughness of inspections shall be based upon the following factors:

- Fire threat
- Proximity to overhead power line facilities
- Terrain
- Accessibility
- Location, including whether the Communications Lines are located in the High Fire-Threat District

**Contested Proposed Regulation 16, Alternate Proposal 2
re: GO 95, Rule 80.1-A(1) (PG&E)**

Proposed Revisions to Rule 80.1-A(1) Are Shown with Strikeout and Underline.

80.1 Inspection Requirements for Communication Lines:

A. Patrol and Detailed Inspections

(1) Inspection Requirements for Joint-Use Poles in High Fire-Threat District Areas

In ~~the high fire-threat areas, High Fire-Threat District~~, the inspection intervals for (i) Communication Lines located on Joint Use Poles (See Rule 21.8) that contain Supply Circuits (See Rule 20.6-D), and (ii) Communication Lines attached to a pole that is within three spans of a Joint Use Pole with Supply Circuits, shall not exceed the time specified in the following Table.

Inspection	Northern California <u>Tier 2</u>	Southern California <u>Tier 3</u>
Patrol	2-5 Years	1 Year
Detailed	10-15 Years	5 Years

Inspection~~s intervals and~~ shall be conducted more frequently than shown in the above table, if necessary, based on the five factors listed in Rule 80.1-A2, below.

For the purpose of implementing the patrol and detailed inspection intervals in the above Table ~~in the high fire-threat areas of the state~~, the term “year” is defined as 12 consecutive calendar months starting the first full calendar month after an inspection is performed, plus three full calendar months, not to exceed the end of the calendar year in which the next inspection is due. A required inspection may be completed any time before the expiration of the associated inspection interval using this definition of “year,” but not after. The completion of an inspection starts a new inspection interval that must be completed within the prescribed timeframe using this definition of “year.” However, inspection intervals may be extended by up to six months in areas where the Governor of California or the President of the United States has declared an emergency or a disaster following a major earthquake or other catastrophe using the procedure set forth in Decision 13-06-011 issued in Rulemaking 08-11-005. The extension shall not exceed six months from the date that an emergency is declared or the date that a disaster is declared, whichever is earlier.

~~For the purpose of the above Table, the high fire-threat areas in Northern California are areas designated as Threat Classes 3 and 4 on the Reax Map~~

~~adopted by Decision 12-01-032 issued in Phase 2 of Rulemaking 08-11-005. For the purpose of implementing the patrol and detailed inspection intervals in the above Table in the high fire threat areas of the state, the term "year" is defined as 12 consecutive calendar months starting the first full calendar month after an inspection is performed, plus or minus two full calendar months, not to exceed the end of the calendar year in which the next inspection is due.~~

~~The FRAP Map and Reax Map are to be used to establish approximate boundaries. Communications Infrastructure Providers should use their own expertise and judgment to determine if local conditions require them to adjust the boundaries of the map.~~

Inspections in ~~high fire threat areas~~ the High Fire-Threat District shall be planned and conducted in accordance with the statewide inspection requirements and procedures described in Rule 80.1-A2, below.

Each company's procedures shall describe (i) the methodology used to ensure that all Communication Lines are subject to the required inspections, and (ii) the procedures used for specifying what problems should be identified by the inspections. The procedures used for specifying what problems should be identified by the inspections shall include a checklist for patrol inspections.

Contested Proposed Regulation 17 re: GO 95, Rule 80.1-B (FSTP)

Proposed Revisions to Rule 80.1-A(1) Are Shown with Strikeout and Underline.

80.1 Inspection Requirements for Communication Lines:

B. Intrusive Inspections in the High Fire-Threat District

Wood poles in ~~high Tier 3 fire-threat areas~~ that support only Communication Lines or equipment shall be intrusively inspected in accordance with the schedule established in General Order 165 if they are:

- Interset between joint-use poles supporting supply lines in ~~the high fire threat areas of~~ Southern California.
- Within three spans of a joint-use pole supporting supply lines in ~~the high fire threat areas of~~ Southern California.
- Within one span of a joint-use pole supporting supply lines in ~~the high fire threat areas of~~ Northern California.

For the purpose of this rule, ~~the high fire threat areas in Southern California are Extreme and Very High Fire Threat Zones in the following counties: Imperial, Los Angeles, Orange, Riverside, Santa Barbara, San Bernardino, San Diego, and Ventura. Extreme and Very High Fire Threat Zones are defined by California Department of Forestry and Fire Protection's Fire and Resource Assessment Program (FRAP) Fire Threat Map "Southern California" is defined as the following: Imperial, Los Angeles, Orange, Riverside, Santa Barbara, San Bernardino, San Diego, and Ventura Counties. "Northern California" is defined as all other counties in California.~~

~~The high fire threat areas in Northern California are areas designated as Threat Classes 3 and 4 on the Reax Map adopted in Decision 12-01-032 issued in Phase 2 of Rulemaking 08-11-005. The FRAP Fire Threat Map and Reax Map are to be used to establish approximate boundaries.~~ Communications Infrastructure Providers (CIPs) should use their own expertise and judgment to determine if local conditions require them to adjust the boundaries of the map.

For wood pole intrusive inspections, the term "year" is defined as a calendar year.

CIPs shall maintain records for the life of the pole that provide the following information for each wood pole subject to this rule: The location of the pole, the date of each intrusive inspection, the results of each inspection, the personnel who performed each intrusive inspections, the date and description of each corrective action, and the personnel who performed each correction action. Commission staff may inspect records consistent with Public Utilities Code Section 314(a).

**Contested Proposed Regulation 18 re: GO 95, Rule 91.1 (SDG&E)
Proposed Revisions to Rule 91.1 Are Shown with Underline**

91 Poles, Towers and Structures

91.1 Joint Use

Joint use of poles shall be given consideration by all interested parties where construction or reconstruction is involved and where used it shall be subject to the appropriate grade of construction as specified in Section IV.

Nothing herein shall be construed as requiring utilities to use poles jointly, or as granting authority for the use of any poles without the owner's consent.

In Tiers 2 and 3 of the High Fire-Threat District, all attachments must have the consent of a pole owner or granting authority prior to any construction. Any attachment without consent can be reported to the Commission.

Each utility should definitely designate its space requirements on joint poles, which space shall not be occupied without consent, by equipment of any other utility.

Non-climbable metal poles in partial underground construction (see Rules 22.6-D and 22.5) shall not be jointly used.

**Contested Proposed Regulation 19 re: GO 95, Appendix E (SDG&E)
Proposed Revisions to Appendix E Are Shown with Strikeout and Underline**

Appendix E - Guidelines to Rule 35

The following are guidelines to Rule 35.

The radial clearances shown below are recommended minimum clearances that should be established, at time of trimming, between the vegetation and the energized conductors and associated live parts where practicable. Reasonable vegetation management practices may make it advantageous for the purposes of public safety or service reliability to obtain greater clearances than those listed below to ensure compliance until the next scheduled maintenance. Each utility may determine and apply additional appropriate clearances beyond clearances listed below, which take into consideration various factors, including: line operating voltage, length of span, line sag, planned maintenance cycles, location of vegetation within the span, species type, experience with particular species, vegetation growth rate and characteristics, vegetation management standards and best practices, local climate, elevation, fire risk, and vegetation trimming requirements that are applicable to State Responsibility Area lands pursuant to Public Resource Code Sections 4102 and 4293.

Voltage of Lines	Case 13 of Table 1	Case 14 of Table 1
Radial clearances for any conductor of a line operating at 2,400 or more volts, but less than 72,000 volt	4 feet	6.5 <u>12</u> feet
Radial clearances for any conductor of a line operating at 72,000 or more volts, but less than 110,000 volts	6 feet	10 <u>20</u> feet
Radial clearances for any conductor of a line operating at 110,000 or more volts but less than 300,000 volts	10 feet	20 <u>30</u> feet
Radial clearance for any conductor of a line operating at 300,000 or more volts	15 feet	20 <u>30</u> -feet

Note: Added November 6, 1992, by Resolution SU-15 and revised September 20, 1996, by Decision No. 96-09-097, August 20, 2009 by Decision No. 09-08-029 and January 12, 2012 by Decision No. 12-01-032.

Contested Proposed Regulation 20 re: GO 165, Table 1, Footnote 1 (FSTP)
Proposed Revisions to GO 165, Table 1, Footnote 1 Are Shown
with Strikeout and Underline.

Table 1 Distribution Inspection Cycles (Maximum Intervals in Years)

	Patrol		Detailed		Intrusive	
	Urban	Rural	Urban	Rural	Urban	Rural
Transformers						
Overhead	1	2 ¹	5	5	---	---
Underground	1	2	3	3	---	---
Padmounted	1	2	5	5	---	---
Switching/Protective Devices						
Overhead	1	2 ¹	5	5	---	---
Underground	1	2	3	3	---	---
Padmounted	1	2	5	5	---	---
Regulators/Capacitors						
Overhead	1	2 ¹	5	5	---	---
Underground	1	2	3	3	---	---
Padmounted	1	2	5	5	---	---
Other						
Overhead Conductor and Cables	1	2 ¹	5	5	---	---
Streetlighting	1	2	x	x	---	---
Wood Poles under 15 years	1	2	x	x	---	---
Wood Poles over 15 years which have not been subject to intrusive inspection	1	2	x	x	10	10
Wood poles which passed intrusive inspection	---	---	---	---	20	20

(1) patrol inspections in rural areas shall be increased to once per year in ~~Extreme and Very High Fire Threat Zones Tier 3 of the High Fire-Threat District (See GO 95 Rule 21.2-D) for Southern California.~~ in the following counties Imperial, Los Angeles, Orange, Riverside, Santa Barbara, San Bernardino, San Diego, and Ventura. ~~Extreme and Very High Fire Threat Zones are designated on the Fire and Resource Assessment Program (FRAP) Map prepared by the California Department of Forestry and Fire Protection or the modified FRAP Map prepared by San Diego Gas & Electric Company (SDG&E) and adopted by Decision 12-01-032 in Phase 2 of Rulemaking 08-11-005. The fire-threat map is to be used to establish approximate boundaries and Utilities should use their own expertise and judgment to determine if local conditions require them to adjust the boundaries of the map. Southern California is defined as the following: Imperial, Los Angeles, Orange, Riverside, Santa Barbara, San Bernardino, San Diego, and Ventura Counties.~~

**Contested Proposed Regulation 20, Alternate Proposal 1
re: GO 165, Table 1, Footnote 1 (SED)**

Proposed Revisions to GO 165 Are Shown with Strikeout and Underline.

Table 1 Distribution Inspection Cycles (Maximum Intervals in Years)

	Patrol		Detailed		Intrusive	
	Urban	Rural	Urban	Rural	Urban	Rural
Transformers						
Overhead	1	2 ¹	5	5	---	---
Underground	1	2	3	3	---	---
Padmounted	1	2	5	5	---	---
Switching/Protective Devices						
Overhead	1	2 ¹	5	5	---	---
Underground	1	2	3	3	---	---
Padmounted	1	2	5	5	---	---
Regulators/Capacitors						
Overhead	1	2 ¹	5	5	---	---
Underground	1	2	3	3	---	---
Padmounted	1	2	5	5	---	---
Other Equipment						
Overhead Conductor and Cables	1	2 ¹	5	5	---	---
Streetlighting	1	2	x	x	---	---
Wood Poles under 15 years	1	2	x	x	---	---
Wood Poles over 15 years which have not been subject to intrusive inspection	1	2	x	x	10	10
Wood poles which passed intrusive inspection	---	---	---	---	20	20

- (1) patrol inspections in rural areas shall be increased to once per year in ~~Extreme and Very High Fire Threat Zones Tier 2 and Tier 3 of the High Fire-Threat District (See GO 95, Rule 21.2-D) in the following counties Imperial, Los Angeles, Orange, Riverside, Santa Barbara, San Bernardino, San Diego, and Ventura. Extreme and Very High Fire Threat Zones are designated on the Fire and Resource Assessment Program (FRAP) Map prepared by the California Department of Forestry and Fire Protection or the modified FRAP Map prepared by San Diego Gas & Electric Company (SDG&E) and adopted by Decision 12-01-032 in Phase 2 of Rulemaking 08-11-005. The fire threat map is to be used to establish approximate boundaries and Utilities should use their own expertise and judgment to determine if local conditions require them to adjust the boundaries of the map.~~

**Contested Proposed Regulation 20, Alternate Proposal 2
re: GO 165, Table 1, Footnote 1 (PacifiCorp)**

Proposed Revisions to GO 165 Are Shown with Strikeout and Underline.

Table 1 Distribution Inspection Cycles (Maximum Intervals in Years)

	Patrol		Detailed		Intrusive	
	Urban	Rural	Urban	Rural	Urban	Rural
Transformers						
Overhead	1	2 ¹	5	5	---	---
Underground	1	2	3	3	---	---
Padmounted	1	2	5	5	---	---
Switching/Protective Devices						
Overhead	1	2 ¹	5	5	---	---
Underground	1	2	3	3	---	---
Padmounted	1	2	5	5	---	---
Regulators/Capacitors						
Overhead	1	2 ¹	5	5	---	---
Underground	1	2	3	3	---	---
Padmounted	1	2	5	5	---	---
Other Equipment						
Overhead Conductor and Cables	1	2 ¹	5	5	---	---
Streetlighting	1	2	x	x	---	---
Wood Poles under 15 years	1	2	x	x	---	---
Wood Poles over 15 years which have not been subject to intrusive inspection	1	2	x	x	10	10
Wood poles which passed intrusive inspection	---	---	---	---	20	20

- (1) patrol inspections in rural areas shall be increased to once per year in ~~Extreme and Very High Fire Threat Zones Tier 3 of the High Fire-Threat District (See GO 95, Rule 21.2-D), in the following counties Imperial, Los Angeles, Orange, Riverside, Santa Barbara, San Bernardino, San Diego, and Ventura. Extreme and Very High Fire Threat Zones are designated on the Fire and Resource Assessment Program (FRAP) Map prepared by the California Department of Forestry and Fire Protection or the modified FRAP Map prepared by San Diego Gas & Electric Company (SDG&E) and adopted by Decision 12-01-032 in Phase 2 of Rulemaking 08-11-005. The fire threat map is to be used to establish approximate boundaries and Utilities should use their own expertise and judgment to determine if local conditions require them to adjust the boundaries of the map.~~

**Contested Proposed Regulation 21 re: GO 166, Standard 1, Part E,
Subpart D (FSTP)**

Proposed Revisions to GO 166 Are Shown with Underline and Strikeout

**GO 166 Standards for Operation, Reliability, and Safety During
Emergencies and Disasters**

Standard 1 Emergency Response Plan

E. Fire Prevention Plan

Those investor-owned electric utilities identified below shall have a Fire-Prevention Plan that:

A. Lists and describes the measures the electric utility intends to implement, both in the short run and in the long run, to mitigate the threat of power-line fires generally and in the specific situation where all three of the following conditions occur simultaneously: (i) The force of 3-second wind gusts exceeds the structural or mechanical design standards for the affected overhead power-line facilities, (ii) these 3-second gusts occur during a period of high fire danger, and (iii) the affected facilities are located in a high fire-threat area. A utility's fire-prevention plan may address other situations than required by this General Order, but not in lieu of this General Order.

B. Identifies the specific parts of the electric utility's service territory where all three of the fire-weather conditions listed in Item A, above, may occur simultaneously. In making this determination, the utility shall use a minimum probability of 3% over a 50-year period that 3-second wind gusts which exceed the design standards for the affected facilities will occur during a Red Flag Warning in a high fire-threat area.

C. Lists the other fire-threat indicators that the electric utility elects to use, in addition to those required by Item A, above, to timely identify and/or forecast elevated fire-weather conditions that increase the risk of fire associated with overhead power-line facilities.

D. For the purpose of this Standard, the following definitions apply: (i) Structural and mechanical design standards are the maximum working stresses set forth in General Order 95, Section IV, for installed overhead electric facilities; (ii) period of high fire danger is the period covered by a Red Flag Warning issued by the United States National Weather Service; and (iii) ~~high fire-threat areas are areas designated as the first or second highest fire-threat areas on the fire-threat maps adopted by Decision 12-01-032~~ the High Fire-Threat District as defined in GO 95, Rule 21.2-D.

The requirement to prepare a fire-prevention plan applies to:

~~(1) Investor-owned electric utilities in Imperial, Los Angeles, Orange, Riverside, Santa Barbara, San Bernardino, San Diego, and Ventura counties; and (2) i~~
Investor-owned electric utilities ~~in all other counties~~ with overhead electric facilities located in ~~areas of high fire risk Tier 3 as designated on the CPUC's Fire Threat Map~~ the High Fire-Threat District, as determined by such utilities in accordance with Decision 12-01-032 issued Rulemaking 08-11-005.

**Contested Proposed Regulation 21, Alternate Proposal 1 re: GO 166,
Standard 1, Part E, Subpart D (SED)**

Proposed Revisions to GO 166 Are Shown with Underline and Strikeout

**GO 166 Standards for Operation, Reliability, and Safety During
Emergencies and Disasters**

Standard 1 Emergency Response Plan

E. Fire Prevention Plan

Those investor-owned electric utilities identified below shall have a Fire-Prevention Plan that:

A. Lists and describes the measures the electric utility intends to implement, both in the short run and in the long run, to mitigate the threat of power-line fires generally and in the specific situation where all three of the following conditions occur simultaneously: (i) The force of 3-second wind gusts exceeds the structural or mechanical design standards for the affected overhead power-line facilities, (ii) these 3-second gusts occur during a period of high fire danger, and (iii) the affected facilities are located in a high fire-threat area. A utility's fire-prevention plan may address other situations than required by this General Order, but not in lieu of this General Order.

B. Identifies the specific parts of the electric utility's service territory where all three of the fire-weather conditions listed in Item A, above, may occur simultaneously. In making this determination, the utility shall use a minimum probability of 3% over a 50-year period that 3-second wind gusts which exceed the design standards for the affected facilities will occur during a Red Flag Warning in a high fire-threat area.

C. Lists the other fire-threat indicators that the electric utility elects to use, in addition to those required by Item A, above, to timely identify and/or forecast elevated fire-weather conditions that increase the risk of fire associated with overhead power-line facilities.

D. For the purpose of this Standard, the following definitions apply: (i) Structural and mechanical design standards are the maximum working stresses set forth in General Order 95, Section IV, for installed overhead electric facilities; (ii) period of high fire danger is the period covered by a Red Flag Warning issued by the United States National Weather Service; and (iii) ~~high fire-threat areas are areas designated as the first or second highest fire-threat areas on the fire-threat maps adopted by Decision 12-01-032 the High Fire-Threat District as defined in GO 95, Rule 21.2-D.~~

The requirement to prepare a fire-prevention plan applies to:

~~(1) Investor-owned electric utilities in Imperial, Los Angeles, Orange, Riverside,~~

~~Santa Barbara, San Bernardino, San Diego, and Ventura counties; and (2) i
Investor-owned electric utilities in all other counties with overhead electric
facilities located in areas of high fire risk Tier 3 as designated on the CPUC's Fire
Threat Map the High Fire-Threat District, as determined by such utilities in
accordance with Decision 12-01-032 issued Rulemaking 08-11-005.~~

**Contested Proposed Regulation 22 re: Electric Tariff Rule 11 (PG&E)
Proposed Revisions to Tariff Rule 11 Are Shown with Underline and Strikeout**

PG&E Electric Tariff Rule No. 11 – Discontinuance and Restoration of Service

N. VEGETATION MANAGEMENT IN THE HIGH FIRE THREAT DISTRICT

[ELECTRIC UTILITY] may disconnect service to a customer or property owner who obstructs access to overhead power-line facilities for vegetation management activities, subject to the following conditions:

1. The authority to disconnect service to a customer is limited to ~~situations where there is breach of the minimum vegetation clearances required for power lines in General Order (GO) 95, Rule 35, Table 1, Cases 13 and 14 under the provisions in effect at the time the breach is discovered~~ Tier 2 and Tier 3 of the High Fire-Threat District, as designated in General Order (GO) 95, where one of the following has occurred:
 - a. there is a breach or imminent threat of breach of the minimum vegetation clearances required for power lines in GO 95, Rule 35, Table 1, Cases 13 or 14 under the provisions in effect at the time the breach is discovered, or
 - b. there are dead, rotten, or diseased trees or dead, rotten or diseased portions of otherwise healthy trees that overhang or lean toward and may fall into a span of supply or communications lines, or
 - c. during fire season in State Responsibility Areas, there is a breach or imminent threat of breach of the minimum vegetation clearances required in California Public Resources Code Section 4293, or
 - d. there are dead trees, old decadent or rotten trees, trees weakened by decay or disease and trees or portions thereof that overhang or lean toward and may contact the line from the side or fall into the line, or
 - e. during fire season in State Responsibility Areas, there is a breach or imminent threat of breach of the minimum vegetation clearances required in California Public Resources Code Section 4292.
2. The authority to disconnect service to a customer who obstructs vegetation management activities does not extend to customers that are state and local governments and agencies.
3. The authority to disconnect service to a customer is limited to one meter serving the property owner’s primary residence, or if the property owner is a business entity, the entity’s primary place of business. This one meter is in addition to disconnecting service, if necessary for public safety, at the location of the vegetation-related fire hazard.
4. Prior to disconnecting service, [ELECTRIC UTILITY] shall ~~follow the then current~~

~~procedures and notice requirements applicable to discontinuance of service for non-payment, including the requirements applicable for sensitive customers, customers who not proficient in English, multifamily accommodations, and other customer groups, except as set forth in section 5 below first give notice of impending service termination at least 10 days prior to the proposed termination by means of a notice mailed, postage prepaid, to the customer to whom the service is billed, and the 10-day period shall not commence until five-days after the mailing of the notice. During this 10-day period, [ELECTRIC UTILITY] shall make at least two attempts to contact the customer by telephone or personal contact. Where the residential customer has established a third-party notification authorization, [ELECTRIC UTILITY] shall notify the third-party of the impending termination. Where [ELECTRIC UTILITY] determines that the customer is a tenant, [ELECTRIC UTILITY] may notify the record property owner as set forth in section 3 above. [ELECTRIC UTILITY] shall make reasonable efforts to provide notice in appropriate language for customers who are not proficient in English, except as set forth in section 5 below.~~ To the extent practical, the ~~applicable procedures and~~ notice requirements shall be completed prior to a breach of the minimum vegetation clearances ~~required by GO 95, Rule 35, Table 1, Cases 13 and 14 or other hazardous conditions identified in section 1 above.~~

5. For vegetation hazards that pose an immediate threat to public safety, [ELECTRIC UTILITY] may disconnect service to the obstructing property owner's residence or primary place of business at any time without prior notice, except when the customer receives service under a medical baseline allowance. If service is disconnected without prior notice, [ELECTRIC UTILITY] shall attempt to contact the property owner for five consecutive business days by daily visits to the property owner's residence or primary place of business, in addition to sending a written notice, to inform the property owner why service has been disconnected and how to restore service. If [ELECTRIC UTILITY] determines that it is necessary to disconnect service to a medical baseline customer, [ELECTRIC UTILITY] shall attempt to notify the customer by telephone prior to the service disconnection.
6. SERVICE RESTORATION
 - a. When a customer's service has been terminated because access to overhead electric facilities for vegetation management purposes has been obstructed, the customer's service will not be restored until appropriate vegetation management has been achieved or the vegetation hazard has been mitigated, and payment for all applicable restoration of service charges as provided in Electric Rule 11, Section M, Charges for Termination and/or Restoration of Service have been received.

(END OF APPENDIX A)

**Appendix B: Adopted Revisions to General Orders 95,
165, and 166, and Electric Tariff Rule 11**

Appendix B shows the revised parts of General Orders 95, 165, and 166, and Electric Tariff Rule 11 adopted by this Decision.

General Order 95, Rule 18
Adopted Rule in Final Form

18 Reporting and Resolution of Safety Hazards Discovered by Utilities

For purposes of this rule, "Safety Hazard" means a condition that poses a significant threat to human life or property.

A. Resolution of Safety Hazards and General Order Nonconformances

- (1)(a) Each company (including utilities and CIPs) is responsible for taking appropriate corrective action to remedy Safety Hazards and GO 95 nonconformances posed by its facilities.
 - (b) Upon completion of the corrective action, the company's records shall show, with sufficient detail, the nature of the work, the date, and the identity of persons performing the work. These records shall be preserved by the company for at least ten (10) years and shall be made available to Commission staff upon 30 days' notice.
 - (c) Where a communications company's or an electric utility's actions result in GO nonconformances for another entity, that entity's remedial action will be to transmit a single documented notice of identified nonconformances to the communications company or electric utility for compliance.
- (2)(a) All companies shall establish an auditable maintenance program for their facilities and lines. All companies must include a timeline for corrective actions to be taken following the identification of a Safety Hazard or nonconformances with General Order 95 on the company's facilities. The auditable maintenance program shall prioritize corrective actions consistent with the priority levels set forth below and based on the following factors, as appropriate:
- Safety and reliability as specified in the priority levels below;
 - Type of facility or equipment;
 - Location, including whether the Safety Hazard or nonconformance is located in the High Fire-Threat District;
 - Accessibility;
 - Climate;
 - Direct or potential impact on operations, customers, electrical company

There shall be 3 priority levels.

(i) Level 1:

- Immediate safety and/or reliability risk with high probability for significant impact.
- Take action immediately, either by fully repairing the condition, or by temporarily repairing and reclassifying the condition to a lower priority.

(ii) Level 2:

- Variable (non-immediate high to low) safety and/or reliability risk.
- Take action to correct within specified time period (fully repair, or by temporarily repairing and reclassifying the condition to a lower priority). Time period for correction to be determined at the time of identification by a qualified company representative, but not to exceed: (1) six months for nonconformances that create a fire risk located in Tier 3 of the High Fire-Threat District; (2) 12 months for nonconformances that create a fire risk located in Tier 2 of the High Fire-Threat District; (3) 12 months for nonconformances that compromise worker safety; and (4) 59 months for all other Level 2 nonconformances.

(iii) Level 3:

- Acceptable safety and/or reliability risk.
- Take action (re-inspect, re-evaluate, or repair) as appropriate.

(b) Correction times may be extended under reasonable circumstances, such as:

- Third party refusal
- Customer issue
- No access
- Permits required
- System emergencies (e.g. fires, severe weather conditions)

(3) Companies that have existing General Order 165 auditable inspection and maintenance programs that are consistent with the purpose of Rule 18A shall continue to follow their General Order 165 programs.

**General Order 95, Rule 21.2-D and Associated Entries in GO 95's Section II
List of Definitions and GO 95's Index**

Adopted Rule in Final Form

21.2 Districts means areas defined as the following:

D. High Fire-Threat District means those areas comprised of the following:

- (1) **Zone 1** is Tier 1 of the latest version of the United States Forest Service (USFS) and CAL FIRE's joint map of Tree Mortality High Hazard Zones (HHZs). (Note: The Tree Mortality HHZs Map may be revised regularly by the USFS and CAL FIRE.)
- (2) **Tier 2** is Tier 2 of the CPUC Fire-Threat Map.
- (3) **Tier 3** is Tier 3 of the CPUC Fire-Threat Map.

Section II, Definition of Terms as Used in the Rules of This Order, Page II-2

21.2 Districts	II-10
A. Urban	II-11
B. Rural	II-11
C. Loading	II-11
D. High Fire Threat	II-11

Index, Page 12

<u>Topic</u>	<u>Index Rule</u>
Disconnects (See Switches)	
District, High Fire-Threat	21.2-D, 18-A, 37, 80.1-A, 80.1-B
Districts, Loading	21.2-C, 43.1, 43.2, 49.4-C, Appendix A

Note: The Index entries immediately before and after “District, High Fire-Threat” are provided to show where this new entry belongs in the Index.

Index, Page 17

<u>Topic</u>	<u>Index Rule</u>
Height of Guy	Figure 86 (Appendix G)
High Fire-Threat District	18-A, 21.2-D, 37, 80.1-A, 80.1-B
High Voltage Signs (See Marking)	

Note: The Index entries immediately before and after “High Fire-Threat District” are provided to show where this new entry belongs in the Index”

**General Order 95, Rule 35, Table 1, Case 14 and Reference (hhh)
Adopted Rule in Final Form**

Case No.	Nature of Clearance	Table 1 Wire or Conductor Concerned						
		A Span Wires (Other than Trolley Span Wires) Overhead Guys and Messengers	B Communication Conductors (Including Open Wire, Cables and Service Drops), Supply Service Drops of 0 - 750 Volts	C Trolley Contact, Feeder and Span Wires, 0 - 5,000 Volts	D Supply Conductors of 0 - 750 Volts and Supply Cables Treated as in Rule 57.8	E Supply Conductors and Supply Cables, 750 - 22,500 Volts	F Supply Conductors and Supply Cables, 22.5 - 300 kV	G Supply Conductors and Supply Cables, 300 - 550 kV (mm)
14	Radial clearance of bare line conductors from vegetation in the High Fire-Threat District (hhh) (aaa) (ddd) (jjj)			18 inches (bbb)		48 inches (bbb) (iii)	48 inches (fff)	120 inches (ggg)

References to Rules Modifying Minimum Clearances in Table 1

(hhh) The High Fire-Threat District is defined in GO 95, Rule 21.2-D.

General Order 95, Rule 38
Adopted Rule in Final Form

38 Minimum Clearances of Wires from Other Wires

The minimum vertical, horizontal or radial clearances of wires from other wires shall not be less than the values given in Table 2 and are based on a temperature of 60° F. and no wind. Conductors may be deadended at the crossarm or have reduced clearances at points of transposition, and shall not be held in violation of Table 2, Cases 8-15, inclusive.

The clearances in Table 2 shall in no case be reduced more than 10 percent, except mid-span in Tier 3 of the High Fire-Threat District where they shall be reduced by no more than 5 percent, because of temperature and loading as specified in Rule 43 or because of a difference in size or design of the supporting pins, hardware or insulators. All clearances of less than 5 inches shall be applied between surfaces, and clearances of 5 inches or more shall be applied to the center lines of such items. The utilities of interest (including electric supply and/or communication companies) shall cooperate and provide relevant information for sag calculations for their facilities, upon request.

**General Order 95, Rule 80.1-A(1)
Adopted Rule in Final Form**

80.1 Inspection Requirements for Communication Lines:

A. Patrol and Detailed Inspections

(1) Inspection Requirements for Joint-Use Poles in the High Fire-Threat District

In Tiers 2 and 3 of the High Fire-Threat District, the inspection intervals for (i) Communication Lines located on Joint Use Poles (See Rule 21.8) that contain Supply Circuits (See Rule 20.6-D), and (ii) Communication Lines attached to a pole that is within three spans of a Joint Use Pole with Supply Circuits, shall not exceed the time specified in the following Table.

Inspection	Tier 2	Tier 3
Patrol	2 Years	1 Year
Detailed	10 Years	5 Years

Inspections shall be conducted more frequently than shown in the above table, if necessary, based on the five factors listed in Rule 80.1-A(2), below.

For the purpose of implementing the patrol and detailed inspection intervals in the above Table, the term “year” is defined as 12 consecutive calendar months starting the first full calendar month after an inspection is performed, plus three full calendar months, not to exceed the end of the calendar year in which the next inspection is due. A required inspection may be completed any time before the expiration of the associated inspection interval using this definition of “year,” but not after. The completion of an inspection starts a new inspection interval that must be completed within the prescribed timeframe using this definition of “year.” However, inspection intervals may be extended by up to six months in areas where the Governor of California or the President of the United States has declared an emergency or a disaster following a major earthquake or other catastrophe using the procedure set forth in Decision 13-06-011 issued in Rulemaking 08-11-005. The extension shall not exceed six months from the date that an emergency is declared or the date that a disaster is declared, whichever is earlier.

Inspections in the High Fire-Threat District shall be planned and conducted in accordance with the statewide inspection requirements and procedures described in Rule 80.1-A(2), below.

Each company’s procedures shall describe (i) the methodology used to ensure that all Communication Lines are subject to the required inspections, and

(ii) the procedures used for specifying what problems should be identified by the inspections. The procedures used for specifying what problems should be identified by the inspections shall include a checklist for patrol inspections.

(2) Statewide Inspection Requirements

Each company shall prepare, follow, and modify as necessary, procedures for conducting patrol or detailed inspections for all of its Communication Lines throughout the State. Consistent with Rule 31.2, the type, frequency and thoroughness of inspections shall be based upon the following factors:

- Fire threat
- Proximity to overhead power line facilities
- Terrain
- Accessibility
- Location, including whether the Communications Lines are located in the High Fire-Threat District

General Order 95, Rule 80.1-B
Adopted Rule in Final Form

80.1 Inspection Requirements for Communication Lines:

B. Intrusive Inspections in the High Fire-Threat District

Wood poles in Tier 3 of the High Fire-Threat District that support only Communication Lines or equipment shall be intrusively inspected in accordance with the schedule established in General Order 165 if they are:

- Interset between joint-use poles supporting supply lines in Southern California.
- Within three spans of a joint-use pole supporting supply lines in Southern California.
- Within one span of a joint-use pole supporting supply lines in Northern California.

For the purpose of this rule, "Southern California" is defined as the following: Imperial, Los Angeles, Orange, Riverside, Santa Barbara, San Bernardino, San Diego, and Ventura Counties. "Northern California" is defined as all other counties in California.

For wood pole intrusive inspections, the term "year" is defined as a calendar year.

CIPs shall maintain records for the life of the pole that provide the following information for each wood pole subject to this rule: The location of the pole, the date of each intrusive inspection, the results of each inspection, the personnel who performed each intrusive inspections, the date and description of each corrective action, and the personnel who performed each correction action. Commission staff may inspect records consistent with Public Utilities Code Section 314(a).

**General Order 95, Appendix E
Adopted Rule in Final Form**

Appendix E - Guidelines to Rule 35

The following are guidelines to Rule 35.

The radial clearances shown below are recommended minimum clearances that should be established, at time of trimming, between the vegetation and the energized conductors and associated live parts where practicable.

Reasonable vegetation management practices may make it advantageous for the purposes of public safety or service reliability to obtain greater clearances than those listed below to ensure compliance until the next scheduled maintenance. Each utility may determine and apply additional appropriate clearances beyond clearances listed below, which take into consideration various factors, including: line operating voltage, length of span, line sag, planned maintenance cycles, location of vegetation within the span, species type, experience with particular species, vegetation growth rate and characteristics, vegetation management standards and best practices, local climate, elevation, fire risk, and vegetation trimming requirements that are applicable to State Responsibility Area lands pursuant to Public Resource Code Sections 4102 and 4293.

Voltage of Lines	Case 13 of Table 1	Case 14 of Table 1
Radial clearances for any conductor of a line operating at 2,400 or more volts, but less than 72,000 volt	4 feet	12 feet
Radial clearances for any conductor of a line operating at 72,000 or more volts, but less than 110,000 volts	6 feet	20 feet
Radial clearances for any conductor of a line operating at 110,000 or more volts but less than 300,000 volts	10 feet	30 feet
Radial clearance for any conductor of a line operating at 300,000 or more volts	15 feet	30-feet

Note: Added November 6, 1992, by Resolution SU-15 and revised September 20, 1996, by Decision No. 96-09-097, August 20, 2009 by Decision No. 09-08-029 and January 12, 2012 by Decision No. 12-01-032.

**General Order 165, Table 1, Footnote 1
Adopted Amendment in Final Form**

Table 1 Distribution Inspection Cycles (Maximum Intervals in Years)

	Patrol		Detailed		Intrusive	
	Urban	Rural	Urban	Rural	Urban	Rural
Transformers						
Overhead	1	2 ¹	5	5	---	---
Underground	1	2	3	3	---	---
Padmounted	1	2	5	5	---	---
Switching/Protective Devices						
Overhead	1	2 ¹	5	5	---	---
Underground	1	2	3	3	---	---
Padmounted	1	2	5	5	---	---
Regulators/Capacitors						
Overhead	1	2 ¹	5	5	---	---
Underground	1	2	3	3	---	---
Padmounted	1	2	5	5	---	---
Overhead Conductor and Cables						
Overhead Conductor and Cables	1	2 ¹	5	5	---	---
Streetlighting	1	2	x	x	---	---
Wood Poles under 15 years	1	2	x	x	---	---
Wood Poles over 15 years which have not been subject to intrusive inspection	1	2	x	x	10	10
Wood poles which passed intrusive inspection	---	---	---	---	20	20

(1) Patrol inspections in rural areas shall be increased to once per year in Tier 2 and Tier 3 of the High Fire-Threat District. (See GO 95, Rule 21.2-D.)

The amendments to GO 165 adopted by today’s Decision do not affect several notes following the above text in Footnote 1.

General Order 166, Standard 1, Part E, Subpart D
Adopted Amendment in Final Form

GO 166 Standards for Operation, Reliability, and Safety During Emergencies and Disasters

Standard 1 Emergency Response Plan

E. Fire Prevention Plan

- D. For the purpose of this Standard, the following definitions apply:
- (i) Structural and mechanical design standards are the maximum working stresses set forth in General Order 95, Section IV, for installed overhead electric facilities;
 - (ii) period of high fire danger is the period covered by a Red Flag Warning issued by the United States National Weather Service;
 - and (iii) high fire-threat areas are areas designated as the High Fire-Threat District as defined in GO 95, Rule 21.2-D.

The requirement to prepare a fire-prevention plan applies to investor-owned electric utilities with overhead electric facilities located in the High Fire-Threat District as defined in GO 95, Rule 21.2-D.

Note: The adopted amendments to GO 166 do not affect subparts A – B of GO 166, Standard 1, Part E.

Electric Tariff Rule 11
Amended Pro Forma Rule in Final Form

Electric Tariff Rule No. 11 - Discontinuance and Restoration of Service

N. VEGETATION MANAGEMENT

[ELECTRIC UTILITY] may disconnect service to a customer or property owner who obstructs access to overhead power-line facilities for vegetation management activities, subject to the following conditions:

1. The authority to disconnect service to a customer is limited to situations where:
 - a. There is breach of the minimum vegetation clearances required for power lines in General Order (GO) 95, Rule 35, Table 1, Cases 13 and 14 under the provisions in effect at the time the breach is discovered.
 - b. In the High Fire-Threat District, as defined by GO 95, Rule 21.2-D, there is breach of the minimum vegetation clearances required for power lines and support structures in Cal. Pub. Res. Code §§ 4292 and 4293 for State Responsibility Areas.
 - c. In the High Fire-Threat District, [ELECTRIC UTILITY] has obtained from an arborist a written determination that a dead rotten, diseased, leaning, or overhanging tree (or parts thereof) poses an imminent or immediate risk for falling onto, or otherwise contacting, a power line. The written determination shall provide one or more photographs of the tree and explain the basis for the arborist's determination. The arborist shall possess dual certification from the International Society of Agriculture as a Certified Master Arborist and a Certified Utility Specialist. An "imminent risk" as a risk that will, in the arborist's professional judgement, very likely to be realized at any moment. An "immediate risk" is a risk that will, in the arborist's professional judgement, certainly be realized at any moment.
2. The authority to disconnect service to a customer who obstructs vegetation management activities does not extend to customers that are state and local governments and agencies.
3. The authority to disconnect service to a customer is limited to one meter serving the property owner's primary residence, or if the property owner is a business entity, the entity's primary place of business. This one meter

is in addition to disconnecting service, if necessary for public safety, at the location of the vegetation-related fire hazard.

4. Prior to disconnecting service, [ELECTRIC UTILITY] shall follow the then current procedures and notice requirements applicable to discontinuance of service for-non-payment, including the requirements applicable for sensitive customers, customers who not proficient in English, multifamily accommodations, and other customer groups, except as set forth in section 5 below.
 - a. To the extent practical, the applicable procedures and notice requirements shall be completed prior to a breach of the minimum vegetation clearances required by (i) GO 95, Rule 35, Table 1, Cases 13 and 14, and/or (ii) Cal. Pub. Res. Code §§ 4292 and 4293.
 - b. In situations that pertain to Section 1.c above, the notice shall include the arborist's written determination and photographs provided to the [ELECTRIC UTILITY].
5. For vegetation hazards in Item 1, above, that pose an immediate threat to public safety, [ELECTRIC UTILITY] may disconnect service to the obstructing property owner's residence or primary place of business at any time without prior notice, except when the customer receives service under a medical baseline allowance. If service is disconnected without prior notice, [ELECTRIC UTILITY] shall attempt to contact the property owner for five consecutive business days by daily visits to the property owner's residence or primary place of business, in addition to sending a written notice, to inform the property owner why service has been disconnected and how to restore service. If [ELECTRIC UTILITY] determines that it is necessary to disconnect service to a medical baseline customer, [ELECTRIC UTILITY] shall attempt to notify the customer by telephone prior to the service disconnection.
6. SERVICE RESTORATION
When a customer's service has been terminated because access to overhead electric facilities for vegetation management purposes has been obstructed, the customer's service will not be restored until appropriate vegetation management has been achieved or the vegetation hazard has been mitigated, and payment for all applicable restoration of service charges as provided in Electric Rule 11, Section M, Charges for Termination and/or Restoration of Service have been received.

(END OF APPENDIX B)

Appendix C: CPUC-CAL FIRE MOU

MEMORANDUM OF UNDERSTANDING BETWEEN THE CALIFORNIA PUBLIC UTILITIES COMMISSION AND THE CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION

The California Public Utilities Commission (CPUC) and California Department of Forestry and Fire Protection (CAL FIRE) (collectively the Parties) enter into this Memorandum of Understanding (MOU) to cooperatively develop consistent approaches to forest management, safety and energy programs.

ROLES AND RESPONSIBILITIES

CAL FIRE is charged with the fire prevention, protection, and stewardship of over 31 million acres of California's privately-owned wildlands. CAL FIRE answers the call to more than 350,000 emergencies each year such as fires, medical aids, hazardous material spills, search and rescue missions, train derailments, and earthquakes. CAL FIRE is responsible for fire and life safety code review of all State-owned and leased buildings, the training certification of firefighters, and the inspection of 6,500 miles of intrastate hazardous liquid pipelines. In addition, CAL FIRE provides varied emergency services to approximately 150 local cities, counties, and fire districts via cooperative contracts.

The CPUC ensures that regulated services are delivered in a safe, reliable manner. CPUC regulations are designed to protect the public from potential hazards, including fires, which may be caused from electric utility transmission or distribution lines, or communications infrastructure providers' facilities in proximity to the electric overhead transmission or distribution lines. The Commission's current General Orders 95, 128, and 165 are designed to promote the safe installation and operation of electric utility and communications infrastructure facilities, and provide the minimum safety requirements which the utilities are supposed to supplement with additional safety precautions when operations and local conditions warrant.

SHARED PRIORITIES

The following priorities are shared by the CPUC and CAL FIRE for effective communication and coordination:

1. Work together to develop consistent approaches to forest management, wildfire prevention, public safety, and energy programs.
2. Develop management alignment on key policy issues.

3. Develop a statewide biomass/bioenergy/biofuel strategy to ensure cost effective methods exists to deliver fuel to biomass/biofuel facilities.
4. Assist one another in preparing for, responding to, and mitigating the effects of wildfires.
5. Deepen awareness of the requirements and goals of each other's programs.
6. Create an Interagency Fire Safety Working Group to vet ideas and develop programmatic solutions to shared goals in the interest of fire safety and resource protection.

Immediate-Term Goals:

In order to achieve optimal results for the shared priorities, the Parties' immediate term goals are as follows:

1. Develop a shared understanding of the use of fire mapping, including enhanced enforcement of the CPUC's General Order 95.
2. Develop a shared understanding of utility deployment timelines, procedures, and operations during a wildfire event, including enhanced enforcement of CPUC General Order 166. Ensure utilities establish significant base camps and are a major presence at incident sites of major fires.
3. Enhance the Parties' communication during and following a wildfire event. The CPUC can serve as a link between CAL FIRE and utilities during an event.
4. Coordinate on a range of resource management issues, fuels treatments, tree mortality, and bark beetle infestation. Jointly identify any mitigation measures that the utilities need to take in response to the tree mortality crisis.
5. Initiate the process for utilities to develop and submit fire hazard prevention plans required by SB 1028. Work together on identifying the requirements for fire hazard prevention plans and communicating these requirements to the utilities. Develop a process for review of fire hazard prevention plans.
6. Provide complementary resources in the areas of risk mitigation, risk management, and investigative relationships between CAL FIRE and the CPUC relating to suspected utility involved fire events.
7. Share best practices related to regulation, inspection, and overall safety of hazardous liquid and gas pipeline systems.

CAL FIRE RESPONSIBILITIES

In order to achieve optimal results for the shared priorities, CAL FIRE will perform the activities and functions summarized below.

1. Upon request, review utility wildfire mitigation plans in accordance with Public Utilities Code Sections 8385 to 8387. Assist CPUC in developing criteria and standards to be used in wildfire mitigation plans.
2. Identify and develop contracting requirements necessary for the completion of Fire Map 2 and the establishment of the CPUC Wildfire Mitigation Section in accordance with SB 1028.
 - a. Participate in the Technical Review Team (as defined in the CPUC's Fire Map 2 Work Plan Decision 17-01-009).
 - b. Assess, evaluate, and provide formal feedback via public comments or reports on future Party-submitted mapping proposals regarding physical mapping changes and challenges and/or adjustments to existing mapping methodologies.
 - c. Assess, evaluate, and provide formal feedback via public comments on utility SB 1028 wildfire mitigation plans and utility vegetation management plans.
3. Provide subject matter expertise in mechanical engineering, utility design and testing, and wildland fire risk analysis to the CPUC to advise on wildfire mitigation program management, audit schedule, mitigation plan details, and enforcement. In addition, this liaison(s) will interface with CPUC staff to assist with technical fire science/behavior assessment and allocation of resources.
4. Participate in identifying best practices of design and operation of utility systems for the purposes of fire mitigation.
5. Provide CPUC staff with CAL FIRE operations documentation, including current CAL FIRE structure, operations model, field operations, investigation procedures, and utility/local community outreach efforts/relationships and also be available for follow-up regarding briefing documentation.
6. Provide safety training to select CPUC personnel in order to enhance the CPUC's ability to coordinate with CAL FIRE and/or utilities in the vicinity of a wildfire event.

CPUC RESPONSIBILITIES

In order to achieve optimal results for the shared priorities, the CPUC will perform the activities and functions summarized below.

1. Oversee utility implementation of wildfire mitigation plans and ensure adherence to best practices identified by CAL FIRE.
2. Adopt risk-based regulations that are in alignment with Fire Map 2 through the CPUC formal process.
3. Perform compliance and enforcement activities pertaining to adopted rules related to fire mitigation and emergency response.

4. Use CPUC regulatory authority to assist CAL FIRE to resolve issues with utilities.
5. Dedicate staff to work with CAL FIRE and ensure staff participation in training.
6. Provide funding as necessary to support CAL FIRE's efforts to meet CPUC assistance requests.
7. Assist CAL FIRE in areas of CPUC expertise.
8. Track and report vegetation management clearance activities on an annual basis to CAL FIRE and the California Board of Forestry and Fire Protection.
9. Fund applied research to examine the effectiveness of vegetation clearance and other activities in wildlife mitigation plans designed to reduce wildfire risk. Fund research to refine fire models and data layers that are used to develop Fire Map 2.

PROTECTION OF CONFIDENTIAL INFORMATION

"Confidential Information" includes information obtained pursuant to California Public Utilities Code section 583, records exempt from public disclosure under the California Public Records Act (Government Code sections 6250, et seq.), or written or verbal information that is designated by the Parties to be exempt, prohibited, or privileged from disclosure by State or federal law.

The Parties shall take all necessary measures to protect Confidential Information and, consistent with the Public Records Act and any other laws requiring disclosure, treat the shared Confidential Information as confidential. The Parties shall impose all the requirements of this MOU on all of their respective officers, members, employees and agents with access to Confidential Information. Any Confidential Information obtained by the Parties shall only be used for purposes which are consistent with existing law.

All Confidential Information provided to the Parties pursuant to this MOU shall be subject to Government Code Section 6254.5, subdivision (e), which exempts from public disclosure under the California Public Records Act, confidential records that one State or local agency has provided to another State or local agency pursuant to an agreement that the latter will treat the disclosed records as confidential.

SCOPE

This MOU is made for the sole benefit of CAL FIRE and CPUC, and no other person or entity shall have any rights or remedies under or by reason of this MOU. Nothing in this MOU may be the basis of any third-party challenges or appeals. Nothing in this MOU creates any rights, remedies, or causes of action in any person or entity not party to this MOU.

CAL FIRE and CPUC each retain all rights, responsibilities, and authorities provided for by law. Nothing in this MOU delegates any rights, responsibilities, or authorities

provided by law to either Party. Nothing in this MOU delegates or otherwise prevents, compromises, or precludes each Party from exercising all rights, responsibilities, or authorities provided by law.

Both parties will meet and coordinate progress regarding the MOU on an annual basis, or as mutually agreed upon by the parties.

APPROVAL

This MOU is effective upon completion of the signatures listed below. This MOU shall not be modified except by a written agreement signed by authorized representatives of the Parties.

This MOU shall continue unless or until either Party to the MOU determines that the MOU should be terminated. Unless otherwise provided for by the written agreement of both of the Parties, unilateral termination of the MOU shall be effected no sooner than 60 days from the date either party provides written notice of its intent to terminate the MOU. Termination of this MOU shall not affect the obligation of the parties to maintain the confidentiality of information pursuant to this MOU.

CALIFORNIA PUBLIC UTILITIES COMMISSION:



TIMOTHY J. SULLIVAN
Executive Director



August 18, 2017

CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION:

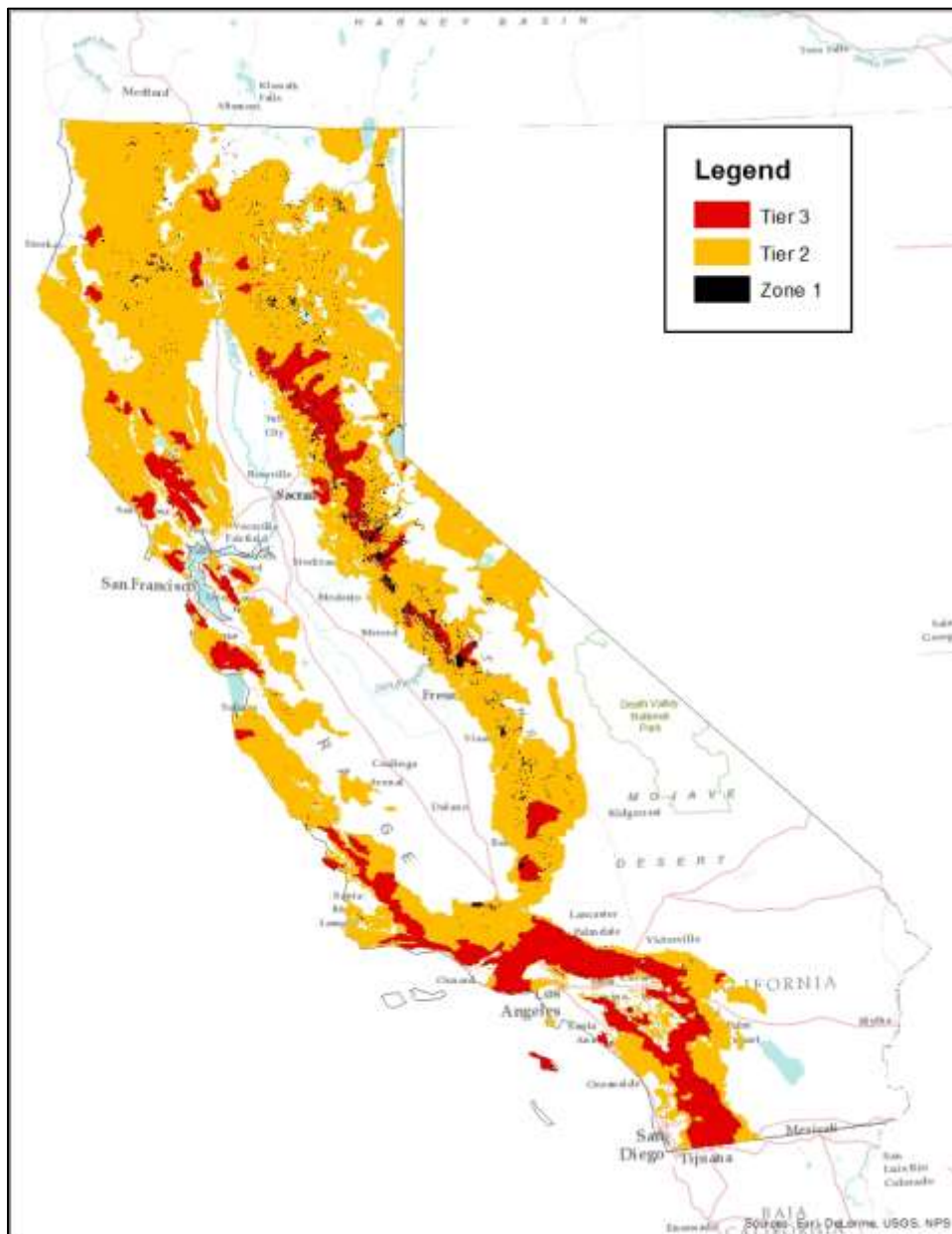


KEN PIMLOTT
Director

August 23, 2017

Appendix D: Draft Map of the High Fire-Threat District

The following draft map of the High Fire-Threat District is composed of the following: (1) Tier 1 High Hazard Zones on the United States Forest Service - CAL FIRE joint map of Tree Mortality HHZs (referred to as "Zone 1" on the attached map); and (2) Tier 2 and Tier 3 fire-threat areas on the IRT-approved CPUC Fire-Threat Map filed on November 17, 2017.



(END OF APPENDIX D)