

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

Order Instituting Rulemaking to Examine
Electric Utility De-Energization of Power Lines
in Dangerous Conditions.

Rulemaking 18-12-005
(Filed December 13, 2018)

**COMMENTS OF CALIFORNIA WATER ASSOCIATION
ON THE ORDER INSTITUTING RULEMAKING**

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February 8, 2019

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I. INTRODUCTION

In accordance with Rule 1.4 of the Rules of Practice and Procedure of the California Public Utilities Commission (“Commission”) and the January 28, 2019 email ruling of Administrative Law Judge Melissa K. Semcer, which extended the time to file written comments on the Order Instituting Rulemaking (“OIR”), California Water Association (“CWA”) hereby respectfully submits these comments on the OIR. CWA is a statewide association representing the interests of investor-owned water utilities subject to the Commission’s jurisdiction that serve reliable, high-quality drinking water to more than 6 million Californians. In these comments, CWA will address both the issues to be considered in this rulemaking as well as the preliminary schedule and proposed procedural mechanisms.

II. ISSUES TO BE CONSIDERED

As the Commission considers best practices for de-energization, it must take into account the impact of de-energization events on water utilities and the importance of maintaining water service during periods of emergency. Water utilities provide water to first responders for fire protection and suppression, as well as essential drinking water service. To ensure that these water services are available during a de-energization event, the Commission should focus on communication and coordination with water utilities and the need for water utility investments in resiliency.

Specifically, the Commission must ensure that any electric utility notification requirements include both Commission-regulated water utilities as well as public agencies. Reliable electric utility service is an essential element in the normal operation of the water systems. The determination by an electric utility to curtail service under threatening conditions imposes serious risks to all water utilities and their customers. A disruption in water service can lead to unsanitary conditions and health risks. Moreover, while communication with water utilities is important, the timing of these communications is critical. Water utilities should be notified at least two days prior to a de-energization event, similar to first responders, so that they can act to ensure that water service is not interrupted. Including water utilities early in the de-energization communication process will help avoid breakdowns or interruptions in water service and water quality during critical periods.

Even with adequate advance notice, de-energization of electric lines will present serious challenges for the safe operation of water treatment facilities and pumping of water to meet fire flow requirements, water quality and customer needs. Equally significant is the fact that liability risks for water utilities will rise dramatically with the onset of more frequent de-energization events, especially if they are unable to install or deploy back-up generation in these high-risk areas.

Therefore, in order to mitigate these risks and protect customers from the disruption of water service and maintain adequate water available for fire protection, water utilities must make significant investments in back-up generators, additional water storage tanks, booster pumps, enlarged/additional water pipelines, and other resources – and to do as much of this as possible before the 2019 fire season begins this spring. There will also be costs associated with continued monitoring and maintenance of these facilities, including costs associated with periodic testing to ensure readiness and functionality, service and repair, and rotation of fresh fuel for generators. Water utilities will need to act quickly to prepare for possible de-energization events and the Commission must be ready to act promptly to facilitate this preparation.

Furthermore, the use of fossil-fuel burning generators conflicts with California's greenhouse gas emission reduction goals and requires permits from regional Air Quality Management Districts, which are not easily or quickly obtained (the process for obtaining such permits can take six months). Waivers may be needed so that water utilities are not penalized for the length of time such generators are in use. It may also be necessary for water utilities to coordinate with state and local agencies regarding emergency fuel planning and integration to ensure that the fuel necessary to maintain uninterrupted service is available. The Commission must consider these issues so that the regulated water systems may fulfill their important roles during times of emergency.

III. SCHEDULE AND PROCESS

Members of CWA participated in the January 9, 2019 workshop in Calabasas. That workshop, as well as the prior workshop on December 14, 2018 in Santa Rosa, revealed the breadth and complexity of the issues surrounding de-energization. The preliminary schedule in the OIR does not include any further workshops, and merely provides an opportunity for comments on the issue raised in the OIR in March 2019.

Given the wide-ranging impact of de-energization, as well as the need for comprehensive and thorough notification and communication, CWA believes that additional workshops may be beneficial. Although the more general initial workshops were helpful in identifying issues and concerns, the Commission should consider workshops focusing on specific issues. For example, the Commission should provide for separate workshops to define appropriate conditions for planned de-energization, communication and coordination of de-energization events, or mitigation of the impact of de-energization on vulnerable populations. The Commission should also provide workshops to affirm the need for the required capital investments water companies will need to make to provide for immediate electric power availability in vulnerable communities where de-energization occurs. Additionally, CWA suggests that the Commission issue a draft de-energization proposal with guidelines that go

beyond Resolution ESRB-8 before soliciting comments from the parties. This will allow the parties to provide efficient, specific and targeted input, and will improve the clarity of the record.

IV. CONCLUSION

CWA appreciates this opportunity to provide input on the implementation and logistics for de-energization of power lines. CWA looks forward to working with the Commission and the parties to this proceeding to address the complex issues related to de-energization and achieve the best and most reliable solutions.

Respectfully submitted,

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