BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE
STATE OF CALIFORNIA

PRESIDENT MICHAEL PICKER,
COMMISSIONER CLIFFORD RECHTSCHAFFEN,
ADMINISTRATIVE LAW JUDGES PETER V. ALLEN and
SARAH R. THOMAS, co-presiding

Order Instituting Rulemaking to

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ADMINISTRATIVE LAW JUDGE ALLEN: On the record. Good morning.

This is the time and place for the Prehearing Conference and the Order Instituting Rulemaking to Implement Electric Utility Wildfire Mitigation Plans, Pursuant to Senate Bill 901, Rulemaking 18-10-007.

Before we get started with this, I would like to take one minute of silence for the victims in the current wildfires.

(Moment of silence held for current wildfire victims.)

ALJ ALLEN: Thank you.

With me today is Administrative Law Judge Sarah Thomas, Commissioner Rechtschaffen, and President Picker.

So this is going to be, essentially, time for housekeeping. This is being webcast; so when you speak, please try to speak towards one of the microphones. Make sure the green light is on and that way, people on webcast can hear what you’re saying.

With that, what I would like to do is turn it over to President Picker and
Commissioner Rechtschaffen if they have any words to say.

PRESIDENT PICKER: Thank you.

The horribly tragic events of last week are still unfolding and the details are just beginning to be investigated, but it's very evident that the loss of life and property due to the wildfires in northern California and in southern California, and at the end of this year, exceed historical marks by any measure. I extend my condolences to those families and to those communities who have been affected.

We are one of several government agencies, including our colleagues at Cal Fire and the Office of Emergency Services who are tasked with ensuring that the utilities, both investor-owned and publicly-owned, operate a safe and reliable grid.

In this proceeding, we'll look at the wildfire mitigation plans of the utilities. We have previously established some of the requirements as part of our overall work with Cal Fire on vegetation and setting new standards for vegetation management.

I encourage local communities who
are active participants in this, even if they've never thought of themselves as that, first responders and others to participate in the proceedings and to contact us if you have questions about the best way to do that.

Now, we're operating on a fairly tight timeline. The legislature created a whole series of new requirements. This is going to focus on those preexisting wildfire management plans, but there are a range of other issues that we'll have to address on a fairly expedited basis. Because of that, I will be working closely with Commissioner Rechtschaffen to make sure that all these different proceedings are coordinated and that they're coherent together as a universe of actions at the end.

I'll turn it over to Commissioner Rechtschaffen at this point.

COMMISSIONER RECHTSCHAFFEN: I'll say a couple of things. The events of the last week underscore - not that we needed any underscoring - that the threat of wildfires is one of the most pressing threats facing the state right now. The scope of the loss of life and the tragedy is almost unimaginable.

And this is a central priority for
us going forward. We will have many proceedings, as President Picker mentioned, many staff working on this. There is nothing of more importance to us.

And in your comments here and otherwise, please be thinking about how best we coordinate these proceedings, what makes sense to have part of this proceeding, part of other proceedings, the timing in which things should be done, the way to get the maximum public participation and stakeholder participation, how things relate to each other. That will be very helpful as we try to plot out what's going to be a very punishing schedule for all of us, advocates included, as well as our staff, to get these plans approved, turned around, and the other mandates by SB-901 and other legislation implemented. Thanks.

ALJ ALLEN: Thank you.

The next thing I want to do is take appearances, and get party status. For those who may not be familiar, we have party status, which is for the people who will be actively participating in the proceedings. It's also possible to be information only. If you are information only, you would get served with everything that's served in the
proceeding, but would not be a party.

So if you are in a monitoring kind of role, information only would probably be the most suitable role. If you're actually planning to do something, you should probably become a party.

What I generally try to do is make it relatively easy to switch back and forth. So if you are only monitoring at the time, sign up for information only. If you are on the service list as information only and later decide that you want to be a party, please just send an email, and then emails in this case for procedural things should go to both Judge Thomas and I. Please copy both of us on all emails on process issues.

If you request party status when you are information only, we would make you a party. By the same token, if you become a party and you don't do anything in the proceedings, as it comes time to do a decision, we may bump you down to information only, and certainly we would not do that in secret.

I have some forms requesting party status: Lisa Cottle for NextEra Transmission requesting party status, which is granted. Ronald Liebert for California Manufacturers
and Technology Association, CMTA, requesting party status; that is granted. Karen Norene Mills for the California Farm Bureau Federation, requesting party status; that is granted. William Rostov for City and County of San Francisco, party status. And Irene Moosen for Local Government Sustainable Energy Coalition, that's granted. I also received motions for party status from the City of Malibu and County of Inyo; those motions for party status are also granted.

In addition, I have requests for information only: Alyssa Koo for PG&E; Brett Kawakami for East Bay MUD, and Benjamin Bodell with Best, Best & Krieger.

Are there additional people who request?

MS. MAURATH SOMMER: April Maurath Sommer for Protect our Communities Foundation.

ALJ ALLEN: Okay. That's granted.

MS. MAURATH SOMMER: Great. Thank you.

ALJ ALLEN: Any other people requesting party status?

MS. STROTTMAN: Good morning. Britt Strottman, Baron & Budd, representing the County of Sonoma, County of Napa, County of Mendocino, County of Lake, County of Yuba,
County of Nevada, and the City of Napa, the City of Santa Rosa, and the City of Clear Lake, and at this time, we're requesting just information status only. Due to the expedited timeline, we are checking in with our boards of supervisors and our council members to determine our level of participation so that is why we're just making a motion right now for information status.

ALJ ALLEN: That's granted.

Everyone, please try to use the microphones, and make sure your cell phones are off.

Ms. Haug.

MS. HAUG: Yes. Lynn Haug, representing East Bay Utility District. We are a party, but we were also asked to submit an appearance form on behalf of the Zone 7 Water Agency, and it should be somewhere. I just wanted to make sure we were identified as a party.

ALJ ALLEN: Okay. Thank you.

MS. KOO: Your Honor, I apologize.

PG&E is, obviously, a party. My form was meant to request a transcript.

ALJ ALLEN: Okay. Yes.

MS. KOSS: Your Honor, one more.
I believe we're on the party status list, but just to be sure, Rachel Koss for the Coalition of California Utility Employees. We did submit comments on OIR.

ALJ ALLEN: And if you submitted comments on the OIR, you would have party status.

Sir?

AUDIENCE MEMBER: Is it possible to bring up the general PA, public address system volume, because everybody is a little hard to hear.

ALJ ALLEN: I don't have control of that here. I don't know if anyone in the back does. What I can do is, let's pretend there are no microphones and we'll all just speak up.

Okay. Any other appearances?

(No response.)

ALJ ALLEN: What I want to do is get into some of the questions of how this proceeding might run and how it coordinates with other proceedings, and I would like to hear from parties for their suggestions.

One of the things that struck me about the comments we received on the OIR was that a lot of parties raised the de-energization issue, and I understand
that's a very important issue for especially
a lot of communities.

De-energization is a somewhat
complicated topic, and it's not clear to me
how much detail we could resolve on
de-energization in this proceeding based on
the timing of when we need to get the
wildfire mitigation plans done.

So my question that I'm going to
want parties to address is: Would it be
better for that to be addressed in a separate
proceeding, like a separate OIR focusing on
de-energization?

Would it be best to address it in a
separate track in this proceeding?

And then the question: How much
could we actually do on that issue given the
timing of looking at having a wildfire
mitigation plan decision out in May?

Just off the top of my head, the
advantage of a separate OIR is that,
essentially, work could be done on that
concurrently with this proceeding. If we are
doing a separate track of this proceeding,
realistically a lot of that work is going to
have to trail the work of getting the
wildfire mitigation plans done and processed,
and then the question is: How much
de-energization could we do in the timeframe we have of the approval of the initial wildfire mitigation plans.

So what I would like to hear is parties' perspective on that question: What do we do with de-energization?

Ma'am?

MS. BERLIN: Good morning. Susie Berlin for the Northern California Power Agency. We are information only in this proceeding as customers of PG&E in that we have publicly-owned utilities that are transmission dependent; so the de-energization issue is a significant one. So as a threshold matter, you had mentioned whether we should do it in a separate phase or a separate proceeding because you want to have a PD on approving the wildfire mitigation plan and that includes, though, the entirety of the wildfire mitigation plan. Would that include de-energization component?

ALJ ALLEN: Well, one of my questions is how much and how perfect a de-energization component can we have in that time frame because de-energization to me seems like kind of a tricky, complicated issue that requires some care. And, certainly, I think they could do with some sort of an initial thing
in the wildfire mitigation plan. It's not something we cannot do, but the question is, how much can we do and what's the most efficient way of doing the rest of the work?

Mr. Long?

MR. LONG: Yes, your Honor.

ALJ ALLEN: Just yell.

MR. LONG: Okay. Will do.

I think that it's a good idea to be thinking about what can be accomplished in the very short time frame that's allowed for the decision on these plans. And so I think it's also a good idea to be thinking about particularly complex and important issues that deserve the Commission's focused attention, doing those in a separate, concurrent proceeding.

So TURN would endorse that suggestion because not to say that it's of paramount importance to get to that as quickly as possible. Not that it should be derailed in any respect, but it is complicated enough that it does warrant focused attention, and I hope we can get as much participation from as many sectors of the affected communities and first responders and all organizations that have a stake in that and the disability community as well.
So I think that's a very good idea, your Honor.

ALJ ALLEN: Thank you.

Other parties?

Mr. Archer.

MR. ARCHER: Yes. Good morning, your Honor, Commissioners. We agree with Mr. Long's comments that it is a very important issue that deserves our full consideration and full attention. It shouldn't be slowed down, but a separate proceeding probably make sense given all that we have to do in this proceeding.

ALJ ALLEN: Ms. Haug.

MS. HAUG: Yes. Lynn Haug, on behalf of East Bay MUD. We agree that the issues are complex and additional proceedings may be necessary; however, some issues related to de-energization are of immediate concern, particularly communication and notification issues and inter-utility communication and the scope of those seems to be narrower, and, perhaps, could be handled in this phase and then also discussed in subsequent, longer-term hearings or proceedings.

ALJ ALLEN: Thank you, Ms. Haug.

Mr. Bodell.

MR. BODELL: Thank you, judges, and
Commissioners. The City of Malibu is concerned about the effects of de-energization that's on first responders, law enforcement agencies, and city residents, particularly with regard to the tension between de-energization and evacuation protocols.

Malibu had many evacuation communications that went out in the middle of the night that went out with very little notice and is concerned that anticipatory de-energization, if not thought out correctly, could affect those types of evacuation protocols.

We do agree that it's complex, but we do think that under SB-901 collaboration between local agencies is kind of a paramount aspect of it. So we want the Commission to consider that local component as well.

COMMISSIONER RECHTSCHAFFEN: Where do you come out on -- do you think it should be part of this proceeding or separate?

MR. BODELL: I think it should be part of this proceeding as much as we can, particularly related to first responders and law enforcement agencies and communications for its public agents.

PRESIDENT PICKER: Help me understand
why this proceeding, given that the program
has existed for years and that the current
rules that we reestablished for it were
established through resolution, not in
preexisting wildfire management plans
attached to the vegetation management
program. So I'm trying to understand why
here since the issues are so different,
involve different parties than participated
originally, and probably have a different
impact in overall wildfire management
planning. I'm struggling to understand why
here.]

MR. BODELL: I suppose we're concerned
from an exigent circumstances point of view.
If this other track doesn't move along as
fast as this one does, will those issues be
addressed? If the other track does, then I
think that would abate our concerns.

PRESIDENT PICKER: So the whole train
is leaving the station, so you're jumping on
not knowing where it goes?

MR. BODELL: Yes.

ALJ ALLEN: Okay. Ma'am?

MS. KOSS: Rachel Koss for CUE.

I don't think this is working.

We would agree with the City of
Malibu that if this is going to take a
separate path it has to be on the same
timeline as this proceeding.

And, you know, clearly SB-901
requires in the plans to be protocols for
disabling and de-energization. So it has to
be included here. If we want to flesh it out
in another proceeding, okay, fine, but it has
to be on the same timeline, you know. It's
just -- it's so urgent, we can't push this
out until the end of the year.

PRESIDENT PICKER: I understand the
urgency. I'm still trying to understand why
this proceeding. This has got a statutory
deadline. There really is no deadline in the
urgency you're describing, so.

MS. KOSS: Well, the statute requires
the Commission to approve plans that have
protocols for de-energization. So, it has to
be included in the plan. I mean I think we
all understand that and the reason is because
it's urgent, right?

ALJ ALLEN: I guess the question would
be how much --

PRESIDENT PICKER: I'm sorry. I don't
understand that, so maybe you can educate me.

ALJ ALLEN: I guess one of the
questions I would have is, "Okay, given that,
how much can we do in these plans on the time
frame and what's the most expeditious way to do whatever we can't do here?" Because I don't think we can do it all here by May of everything that needs to be looked at in de-energization. So the question is: What can we do here and what is the most expeditious way to do the other pieces of it?

So if you have perspective on that, I would like to hear that.

MS. KOSS: Yeah, I think we agree. I think we have to hunker down and do as much as possible in this proceeding. I think if we need to take pieces and flesh them out in another proceeding that is okay. But I don't think it is okay to extend the timeline much longer that this proceeding. So we have other people, other resources working on the details in another proceeding, along the same timeline, so that we can come to the same place at the same time with all of the information that we need.

ALJ ALLEN: I think realistically, I think we're also certainly looking at an iterative process that will have -- we're only going to get so much done on the timeline we have and hopefully what we do in the future is going to be improving that. So what we come up with in May is not going to
be -- I certainly do not expect that that is going to be the ending -- the end of the process.

MS. KOSS: Yes.

ALJ ALLEN: Other parties who wish to be heard on this particular issue? In the back, sir?

Mr. Candelaria and then Ms. Moosen.

MR. CANDELARIA: Jerome Candelaria, CCTA, California Cable and Telecommunication Association.

With regards to the need to work with critical infrastructure providers such as communications providers, fortunately there has been another train that has left the station in the form of ESRB-8, a resolution the Commission set forth in July that established communications and workshops between the utilities and communications infrastructure providers. I would expect those opportunities to be ongoing and by continuing this education and information exchange between IOUs and critical infrastructure providers, it would strike me as though at least that element of SB-901 is being addressed. While the Commission may find that SB-901 and its own ESRB-8 needs to have elements reconciled, for now it appears
as though the Commission has a way of
addressing at least one component of
dee-energization.

ALJ ALLEN: Thank you.

Ms. Moosen.

MS. MOOSEN: Thank you, your Honor. I
would like to echo some of the sentiments the
local government and TURN expressed --

ALJ ALLEN: Ms. Moosen, you're
appearing for?

MS. MOOSEN: The Local Government
Sustainable Energy Coalition. We are the
only, as far as I know, statewide voice and
regulatory forum for local governments. We
represent about 40 different jurisdictions,
cities and counties, special districts, a few
water agencies and some affiliated government
entities, both on the consumer side and on
the customers -- on the consumer side and on
the provider side.

Our interests are broad in this
proceeding. And I offer two things on how to
split the issues. We would support the
Commission including de-energization and PSPs
policy in this proceeding as 911 contemplated
for a couple of deliverables that seem to be
lacking.

One is an umbrella, even an
inventory of what we have addressed in the various proceedings, what we're targeting now and where the gaps are. If we did that, that would move the ball tremendously in the short realm.

I think for local governments, the implementation of ESRB-8 has been wildly divergent in different parts of the state. In some places where local governments themselves have a lot of resources, it has gone well and interactions with the utilities have continued in very functional ways, even as everybody is stressed beyond usual circumstances and resources.

In smaller jurisdictions or others that are just coming around, this has not been the case. Communication has been difficult and recovery is difficult; often knowing what the resources are available and where to go on the short run, it's difficult. That is long-winded way of saying that local governments are trying to rally, just as you are, on all the fronts at the same time.

And the other piece that I think will have to be fleshed out through the other proceedings but should be touched upon here is what resources are going to be made available or should be made available on the
front end, on the planning side. We seem to have a lot of infrastructure in place on the
during and after of an emergency, but on the
front-end planning, also there is a wide
diversity of resources and approaches even
between the utilities. And one of the things
that seems to be missing from the
Commission's resolution on de-energization is
the planning criteria for when those will be
invoked and that filters down to local
governments.

Right now, for example, in the Santa Barbara County, their Office of Management
Services is in the process of offering a
manual on preparation and protocols for
outages of different durations, hours,
24 hours, 4 days and beyond. And obviously
that is a much bigger topic than can be
addressed in this forum, but the fact that,
at least at the distribution level, there is
much more sophistication at the high-voltage
transmission level with all of the various
reliability infrastructure, but at the
distribution level -- but liability protocols
standards for engineering, standards for
response have really not been looked at in an
outage context. And different kinds of
outages imply different kinds of resources at
every level, financial, engineering, in the
ground and human and protocols. And I think
if we started to rename those and identify
them as gaps, we'll have an easier time
deciding what can be done in the short run
and what should have a home in another
parallel proceeding.

ALJ ALLEN: Thank you. Other parties?

Mr. Melville and then Ms. Hook.

MR. MELVILLE: Thank you, Judge Allen.

Keith Melville for San Diego Gas & Electric
Company.

We would support having a parallel
rulemaking for this topic. It's true that
SB-901 does indicate that protocols for
dee-energizing portions should be in the
wildfire mitigation plan. However, it also
says that protocols for compliance with
disaster relief should be in the wildfire
mitigation plan and the Commission currently
has a parallel rulemaking ongoing for that.
That is Rulemaking 18-03-011 under Judge
Rizzo.

And the fact is that having that
particular topic in its own rulemaking allows
the right expertise to come in, the billing,
the collection, the expertise in that part of
the organization and the customers who deal
with them and the customer advocates that
deal with them. They get to be in their own
rulemaking and all that gets rolled up into
the wildfire mitigation plan.

De-energization could be treated the
same way in its own parallel rulemaking and
with all expediency.

ALJ ALLEN: Thank you.
Ms. Hook.

MS. HOOK: Charlyn Hook for Public
Advocates Office.

As your Honors and parties have
pointed out, there is some tension between
the goal of finalizing these wildfire
mitigation plans by next summer and the need
to carefully review these plans and allow
opportunity for staff and parties to provide
meaningful comments and feedback on those
plans.

So, I note that the legislation
requires about 20 different things and
fortunately our utilities are already doing
many of these things. But it may be a good
idea, in the context of this proceeding, to
prioritize some of those things as we go
through the review of these plans.

We're not opposed to having a
separate OIR but I know that that would take
30 to 60 days I think to get that written up and on calendar.

ALJ ALLEN: Not necessarily.

MS. HOOK: Okay.

ALJ ALLEN: I am getting a general consensus. Is there anyone who has a somewhat different opinion or wishes to add anything to this?

Ms. Koo.

MS. KOO: Your Honor, Alyssa Koo from PG&E.

I appreciate the concern and the urgency felt about de-energization, but I'm still concerned because there's the overarching need to get wildfire mitigation plans approved in time for the next summer. And I'm just concerned that de-energization is going to overwhelm and take the focus off the plans as a whole. There are many important aspects that need to be discussed and approved in the plans, such as system hardening and vegetation management and deployment of weather stations.

I'm concerned that however we handle it, whether it's in a separate proceeding or as part of this proceeding that we appreciate that it's going to take a lot of time and resources to address these issues. And it's
frequently the same people who are trying to develop the overall plan as we are working on de-energization. And I just want to make sure we have realistic deadlines to flesh out this one aspect of our plan that it doesn't take over and prevent kind of a thorough complete development of the overall plan, especially because as you mentioned the wildfire mitigation plan is going to be an annual filing. So while it may not be perfect, I'm not sure perfection is realistic, we will have additional opportunities to continue to improve it over time.

So I guess what I'm saying is whether the Commission has it in a separate proceeding or the same proceeding, I just want to make sure that we are cognizant of the demands on the same people's time to actually get to a solid wildfire mitigation plan at not just perfect protocols for de-energization.

ALJ ALLEN: I'm very cognizant of what I can realistically do, even with Judge Thomas and the Commission's involvement there is only so much we can do. And I think at this moment we can't strive for perfection, but for minimizing imperfection as we go.
forward and hopefully we can get more perfection.

Mr. Clay.

MR. CLAY: Your Honor, Chris Clay on behalf of the Office of the Safety Advocate.

We'll echo the views of the many of the parties that de-energization probably does warrant a separate track in a separate proceeding, but we'll just briefly add that perhaps one way that it could be looked at in this proceeding in some preliminary way would be in a workshop which we did propose workshops in our comments and perhaps that is -- would be a good place to get the ball rolling and the discussion on that subject.

ALJ ALLEN: That was actually my next topic which was I wanted to raise the possibility of workshops. It seems to me that this proceeding that would limit itself to value of workshops. I'm thinking the question I would have is: How many and the timing? Certainly I think at some point one of the things that would be useful is a workshop soon after the utilities put out their plans just so that parties have an opportunity to discuss those with the utilities, make sure everyone understands them. I think that would also probably
reduce the need and amount of discovery that has to his go on.

One thought that I have and I want to hear if this is feasible, is whether it's something the parties would be interested in if the utilities could provide a draft plan earlier than February, have a workshop, get feedback that would then feed into their February plan. I don't know if that's possible or not. I don't know if that is desirable. That is one thing.

Then the other question would be: Should there be additional workshops and if so what should those be on and when should they fall in the timing?

So, feeding off that, let's start. I see Mr. Archer then Ms. Hook then Ms. Koo.

MR. ARCHER: Thank you, your Honor.

As far as post-filing workshops, that makes sense to us.

The three large electric utilities have also developed a draft common template that would address what the plan would look like. And we would like to share that with other parties to obtain feedback on that template and we've conferred amongst ourselves and it looks like feasible dates for maybe an on-line webinar in the very near
future would be the 27th or 28th of this
month in November.

    I'd let the other utilities talk
about it, sort of a pre-filing draft plan is
feasible but as far as the template, we have
decided upon a draft.

    ALJ ALLEN: Thank you.

    Ms. Hook.

    MS. HOOK: Charlyn Hook for Public
Advocates Office.

    Public Advocates Office would
support the concept of holding two workshops
as TURN proposed in its comments. And we
also would like to see there be an initial
filing of the wildfire mitigation plan with
feedback and then a subsequent final wildfire
mitigation plan.

    And before the prehearing conference
this morning, I took a shot at coming up with
a schedule, which I handed out to parties.
And I'm not sure that the proposed timeline
that I came up with would be acceptable to
everybody, but perhaps the event -- so this
attempts to marry the proposal of the scoping
memo, TURN's, ORA's and the Joint Utilities'
feedback from their comments, but I haven't
had -- nobody has had time to really review
this until this morning.
ALJ ALLEN: Thank you. I understand. That I found a copy of up here. So this is the proposal of Public Advocates?

MS. HOOK: Yes.

ALJ ALLEN: Thank you.

Ms. Koo.

MS. KOO: Thank you, your Honor. I agree to echo what Mr. Archer said. We are happy to circulate the template that we have prepared on how we would approach the wildfire mitigation plan and then have an initial workshop to discuss it and go over questions.

The idea of having -- of submitting an initial plan and taking feedback raises a lot of concerns for me if it were to be any earlier than the date proposed by Ms. Hook because it is taking time and it will take additional time after we get the scoping memo for the utilities to come up with, you know, an adequate plan to be reviewed. But then in order to get feedback that we could then incorporate by a February date, I just don't think we can balance those needs. We would have to submit a plan to the group very soon in order to get feedback in order to submit it by February but I don't think we can actually have a plan that is sufficiently
thought out by that time.

So I'm just suggesting that we not have anything submitted before the February date.

ALJ ALLEN: Other comments on workshop timing and number of workshops?

Ms. Haug.

MS. HAUG: Yes. Thank you.

East Bay MUD would support workshops. We think it's a good idea.

The process this summer of communication with PG&E in trying to implement Resolution ESRB-8 brought to light the need for discussion at a finer level and education on both sides of the interaction between electric de-energization and the impacts on water supply and water quality and water storage timing and pumping, et cetera.

And so the one other recommendation that I would make, since there are a lot of topics and many interested parties and subjects, is that to the extent possible it would be useful if the workshops -- if you could break out some immediate topics of higher concern or somehow, you know, isolate issues a bit to make it easier for participation by parties only interested in, you know, in certain issues.
ALJ ALLEN: That's an interesting idea. Because certainly back in implementing RPS the Commission did that which was a series of workshops and each workshop was focused on kind of a different key area. So I think -- I mean there is one question of we definitely want to have something after the utilities present the plan so the parties can ask questions, but I'm wondering: Do other parties have a feeling about subworkshops kind of in specialized areas?

Mr. Long.

MR. LONG: Yes, your Honor. We did propose and I'm glad to hear others seem to agree there should be a workshop right after the utilities present their plans -- submit their plans. And I think it -- that one and I don't think you were suggesting this, I think that one should not be focused. That should be the utilities presenting item-by-item what's in their plan, as you say, so that we can understand it, maybe obviate the need for some discovery and get rolling as quickly as possible in analyzing the plans.

I see that the value of trying to -- the next step would then be the follow-up
workshops which TURN also suggests 30 days
after the initial presentation of the plan. And as I was starting to say, there is value
to trying to focus that by topic but there
are so many topics here and really it's hard
to say until we see the plans at least from
our perspective of what are going to be the
key issues. And I think that is also going
to depend on the parties. The local
governments are going to have certain issues
that are going to be front and center for
them. Other community members are going to
have other interests.

So I would -- I think I lean toward
cautioning against at this point trying to
determine now what the topics should be.
Maybe that could be something we talk about
at the initial workshop and try to get some
input on that in the initial workshop to help
the Commission perhaps think about subject
matter topics for the follow-up workshop. ]

ALJ ALLEN: To follow on that, I mean,
I think your point is a good one that
different parties have very different
focuses. So some workshops might be useful
because then there will be a workshop that
will cover the issues that are most important
to local cities and other workshops that
might be most important to, you know, first responders, generators, things like that. But, yeah, I think it would take a little bit of thought and refinement.

What I'm gathering is, there's general consensus that having a workshop immediately after the plans are presented is worthwhile, and it seems likely that subsequent workshops organized one way or another would probably be useful, and then it's a question of kind of the scope and timing of those.

Ma'am?

MS. MIFSUD: Yes, Judge. This is Cynthia Mifsud with PacifiCorp.

So PacifiCorp is a smaller utility in Northern California. I just wanted to make a pitch for sort of a peer-to-peer workshop and maybe around the time that PG&E puts together its template, so that, you know -- and it sounds like there's going to be some instructions for the plan that comes out of the scoping memo. I think it would be very useful for the utilities to get together and have a common understanding of what those instructions mean and what each of the elements mean.

And, also, I would urge you to
consider, as you put the instructions
together in a scoping memo, to consider
whether there ought to be separate
instructions for the smaller utilities versus
the larger utilities.

   ALJ ALLEN: Thank you.

         Sir?

   MR. GIBSON: Good morning, your Honor.

Jed Gibson on behalf of Bear Valley Electric
Service and Liberty Utilities.

We would just like to echo the
comments and concerns raised by PacifiCorp.
While we're very concerned and eager to
implement the wildfire mitigation plans, we
don't have the staff or the experience that
the large IOUs have. We think it would be
beneficial to have workshops to gain some
clarity about planning requirements and
eventually develop a consensus as what will
be included in those plans and how best to
address that, given the more limited
resources of the smaller utilities.

   ALJ ALLEN: Thank you.

   MS. FERNANDEZ: Laura Fernandez on
behalf of the California Municipal Utilities
Association.

I would echo both the comments of
PacifiCorp and Bear Valley. CMUA supports
workshops both after the plans are filed and perhaps before, but we also agree that workshops earlier as East Bay MUD mentioned on, perhaps, specific topics would be very informative and very helpful to parties.

Our only question is with comments on instructions for initial plans due so soon where these workshops would fit in. We think workshops earlier would be a good idea, but that deadline is, obviously, rapidly approaching.

ALJ ALLEN: With the scoping memo, we will clarify and refine this. In terms of some workshops of smaller groups of parties of utilities, I'm not sure that's necessarily something we're going to set out in the scoping memo, but, certainly, if any parties or subgroups of parties wish to get together to try and coordinate and share information to streamline the process, that is certainly okay.

I think what we're going to be focusing on with the scoping memo is setting the schedule for larger proceedings and events that are going to be open to all parties.

Ma'am.

MS. MAURATH SOMMER: April Maurath
One of the concerns that we had understands that this needs to be a very, you know, fast-track proceeding, but that there's little opportunity for development of the record. And if there's going to be use of workshops, what we would like to see is that it is not done informally, and that there's, you know, information that's generated from the workshops that is put on the record.

ALJ ALLEN: This moves to the next thing, which I actually had on my list. Thank you. It's a question about what we're doing in terms of the record.

One of the possibilities is that essentially the plans would be treated as testimony, and that we would have evidentiary hearings and parties could cross-examine on those plans, and then subsequently there would be briefing.

The advantage of this is that there would be on the record conversation of the plans. Anyone's questions and answers would be on the record. If the Commissioners or the ALJs have questions on the plans, those could be asked on the record.

The thing I'm thinking is
realistically only the utilities are going to have plans; so no other party would be submitting testimony. Parties would have a chance to do cross-examination and briefing under that scenario.

The more conventional approach of how this Commission would typically do it in rulemaking is that the plans would be filed and served, and then the parties would have a chance to do written comments on those plans and there would be a chance for parties to respond to each other. So, essentially, the plans would be filed. There would probably be comments and reply comments so that everything would be on paper.

So those are kind of what I see as the two choices. The conventional one is everything's on paper. The workshops would not be part of the record.

The other option is to have, essentially, the plans treated as testimony so you would have cross-examination and then you'd have briefings. So you would have both an in-person, cross-exam component and a written component.

Those are the two kind of alternatives I see in how we can do this in the time that we have. And given Judge
Thomas and my background, we can make either
one of those work for the schedule. It's
just a question of which one is going to give
us the better record for going forward with
what we need to write a decision.

Do parties have a perspective on
this?

Mr. Melville.

MR. MELVILLE: Thank you, your Honor.

Keith Melville, San Diego Gas &
Electric.

I think I would strongly urge the
Commission not to go the route of evidentiary
hearings. If you're trying to get this done
by midyear, it does not lend itself to rapid
decision.

Another option that was recently
used by the Commission was to have a
transcribed workshop. That happened at
Cal OES up in Mather. That seems to be an
interesting development and a way to create a
record.

I would also urge you to consider
two-day workshops. The number of subject
matter and topics in here - 20 different
topics in SB-901 - would lend itself to
multiple day workshops. It's more efficient
for people who have to travel.
So I think I would encourage you to look at workshops, possibly with a transcript and written comments as necessary.

ALJ ALLEN: Thank you.

Mr. Clay.

MR. CLAY: Chris Clay for the Office of the Safety Advocate. I will quickly say that we're inclined to agree with San Diego on that point.

ALJ ALLEN: On which part of it; all of it?

MR. CLAY: Yes.

ALJ ALLEN: I have serious concerns about a transcribed workshop for a number of reasons; so unless you can persuade me otherwise, I'd rather not have a transcribed workshop. If we want to have actual interchange with questions and answers, I think we get a much cleaner record from a structured hearing.

So I don't have a strong preference either way, but I'm not inclined to do that. I also think that you end up with parties tending to posture a little bit more in a workshop. So I'd really like the workshops to be constructive and not kind of posturing. And so I'm concerned that if the workshops become the record, that the workshops end up
being less useful.

So I do not want to do a transcribed workshop. I certainly have no problem with two-day workshop or multiple-day workshops or sequential-day workshops, like we do multiple topics, but the question is, do we want hearings or do we want it just on paper?

Mr. Long.

MR. LONG: TURN also leans toward the workshop approach and not the evidentiary hearing approach. These topics in the time frame, I think, would be better addressed in a setting where we can, you know, literally or figuratively sit around the table and talk about them, as opposed to interrogate each other.

ALJ ALLEN: So what I'm proposing is not in lieu of workshops. So there would be workshops and there would be hearings. Looking as an example, if you look at the initial RPS that I ran - I'm dating myself - back in 2003, maybe 2004. There were workshops and evidentiary hearings. And the workshops were very valuable in making sure that everyone got up to speed on all the technical things, but didn't preclude the evidentiary hearings. So I think there's a consensus that workshops will be useful.
So, I think, regardless of which approach we use, there would be workshops. It's just a question of is the record just paper-based or --

MR. LONG: I appreciate that qualification. Still, I think, thinking about the best way to use our time in an extremely truncated proceeding, I'm not sure the evidentiary hearing, which is a rather deliberative way to go, is the best use of our time.

I understand what you're saying about the difficulties of transcribing a workshop, and I tend to agree with you that there are problems with that.

What still gives some comfort about the workshop process, and only the workshop process, is after the workshop, the parties get an opportunity to submit comments based on what they've learned. Ideas and issues that have, you know -- they've developed based on the workshops, and then having an opportunity to reply. I think that would be a better way to use our time rather than go through the evidentiary hearing process.

ALJ ALLEN: Okay. Thank you.

MS. MIFSUD: Thank you, your Honor.

This is Cynthia Mifsud with
PacifiCorp.

I just want to lend some support to Mr. Melville's suggestions regarding workshops and in lieu of the evidentiary hearing. I understand you're not interested in transcribing workshops. One way that we've submitted workshops into the record in any number of proceedings recently is to have a workshop report team put together a workshop report at the close of the workshop, or a series of workshops, and then that workshop report is submitted, and comments get filed and served, and comments can be submitted on that workshop report.

ALJ ALLEN: One concern I have with the workshop report is, one, who is going to do it? Just because if it's a staff product, that tends to be a lot of work for commission staff, and we have to wait for the workshop report before the comments.

Given the time frame, I'm thinking if parties attend the workshop, as Mr. Long said, then when they file comments, they can be informed by what they've learned from the workshop rather than having an additional step of the comments.

Ms. Hook, and then you in the back.

MS. HOOK: Charlyn Hook for the Public
Advocates Office.

One hybrid-type model I've seen done before is to have a workshop, but then a court reporter is available at the workshop and then transcribes a little bit either at the end of each session or at the end of the day, and then you don't have the need to wait around to get a reporter later. It's just all done in the moment, but the parties still get the opportunity to have a free-flowing discussion without being inhibited by having the court reporter there. No offense to the court reporter.

And the Public Advocates Office was not 100 percent certain at the time when we submitted our comments, but we proposed possibly building in a final day to request evidentiary hearings into the schedule. Obviously, these dates are all subject to your discretion, but maybe we can see how the workshops go and reserve a limited time for the EH's as well.

ALJ ALLEN: I guess one question I have is, is there any party who at this time thinks that evidentiary hearings are necessary just from a process standpoint in that there may be material issues of fact contested?
Ma'am?

MS. MAURATH SOMMER: April Maurath Sommer, Protect Our Communities Foundation.

We would certainly strongly support evidentiary hearings. These are plans with which future actions are going to be measured against, and it's very important, and the evidentiary hearing process is going to be developed to promote the most fulsome and useful record, and certainly it will be helpful in making these plans better.

The one thing I would have a concern about is the way you've proposed does not allow there to be any expert testimony from any of the parties. Again, I do understand this is very speedy timeframe, but maybe some consideration that there could be some of that that is done in writing, and, you know, there could be some rebuttal testimony that could be done with, you know, experts being able to participate on behalf of the party.

ALJ ALLEN: Thank you.

Other comments?

MS. FERNANDEZ: Laura Fernandez.

We would share her concerns about there not being an opportunity for other parties to submit into the record their position. So rather than evidentiary
hearings, we would prefer having written
comments on the plans.

    ALJ ALLEN:  Okay. So I'm hearing a
slightly different perspective. What I'm
hearing from Protect Our --

    MS. FERNANDEZ:  Well, on the -- on the
evidentiary hearings, we do not agree that
evidence hearings are necessary, but we do
agree with the concern that if you went the
route of evidentiary hearings, you would only
have the utility plans as evidence.

    ALJ ALLEN:  Thank you.

    Anything else on -- Mr. Long.

    MR. LONG:  Yes, your Honor. I just
wanted to stick with my previous comment, but
just also note that there is considerable
uncertainty about what actually will be in
the plan. So it's very hard to say at this
point that there will not be any disputed
issues of fact that would lend themselves to
be addressed in the evidentiary hearing.

    If the plans come in the way I
expect, I don't see that -- because I don't
see that happening. These are not going to
be big, new programs where they're
forecasting costs and the like. That's for a
different day, a different proceeding. But
if the utilities do something like that, then
I think you'll be hearing from us, either, A, that's not appropriate for this proceeding; or, B, if it's deemed to be appropriate, then we should be -- we have to go with a different process.

ALJ ALLEN: Ms. Haug and then Ms. Moosen.

MS. HAUG: On behalf of East Bay MUD, we agree that with parties advocating not having evidentiary hearings, it seems like that that wouldn't be the best process for this particular proceeding; however, we support the idea of through, you know, some method allowing parties to provide expert information on the issue of particular interest to them and that could be through written submissions, comments or testimony. And it also could be provided by experts participating in the workshops.

And I just wanted to add there's one other way that workshops can be used by parties in terms of supporting a record. And that is in the electric vehicle proceedings what has happened is that there was a sound recording of the workshops and parties were permitted to cite to that statements made in that sound recording if they needed to. And it wasn't used extensively, but it did allow
parties to reflect points made in the
workshop if they wanted to cite that in their
subsequent filings.

ALJ ALLEN: Okay. That is interesting.

Ms. Moosen.

MS. MOOSEN: Thank you, your Honor. I
wanted to echo the sentiments of those who
are addressing the desire to put evidentiary
hearings aside or to have a very high bar for
having them in this proceeding.

Since our organization represents a
diversity of local governments, I can tell
you that their resources are also equally
diverse and that evidentiary hearings and the
demands of the record, while it is a cleaner
record for Commission decision-making would
effectively eliminate participation by the
vast majority of local jurisdictions. They
just simply don't have the resources to
engage at that level in a single proceeding
when so much else is going on on the same
subject matter, or at any time for a great
many of them.

And I would invite you to include in
the procedural approach a diversity of
approaches so that you could have the benefit
of subject matter experts that are on the
ground and performing in local jurisdictions
on all of the various 20 points in SB-901's subject list for the plans and be able to take those in in writings of various forms, obviously in an organized matter, by subject matter in workshops, in response to workshops reports, plans only, I don't have a preference for that. But the Commission has been creative in the last few years in creating web portals and allowing electeds an other city managers to present things through correspondence, but to have that included in the record. I know that usually correspondence is not -- is usually taken into the administrative record and not included in the deliberative final record. We would ask that that be altered, at least for local government parties and entities that have subject matter responsibility locally so that you can get the broadest feedback.

ALJ ALLEN: Do you have specific recommendations of how best to the do that here?

MS. MOOSEN: I have a number of suggestions. I believe workshop with report after perhaps authored by the utilities to the extent that parties feel excluded or don't feel that they're well represented,
they have the opportunity to include written materials or present at the workshops that are then included. So I think that presents the best opportunity. I don't have an opinion and have a great experience with transcribed workshops. I think that can be both helpful and burdensome. It's a blessing and a curse.

It will fall heavily on the utilities' shoulders to produce a written product in this proceeding. And perhaps it's not a big step in addition to their lift to provide a post-workshop report that parties can either supplement or comment on afterwards.

And I would also invite there to be some kind of web-based. The more that you can webcast and the more that you can take in responses from remote areas without having to be at the table physically, facilities diversity of views being presented to the Commission.

ALJ ALLEN: One of the things I'm hearing that seems to make some sense is at least after the initial workshop after the utilities present their plans, that there needs to be a thing. And that thing could be, you know, Mr. Long was talking about
whether there is a need for asserting a
desire for evidentiary hearings because of
the nature of the plan whether, or input from
various stakeholders as Ms. Moosen talked
about or report that there needs to be some
mechanism for the parties to kind of weigh in
on probably both substance and process as we
go forward.

So we will confer about that, but it
seems like there needs to be some sort of a
post-workshop vehicle.

Mr. Archer.

MR. ARCHER: Thank you, your Honor. I
just wanted to follow up on something that
Mr. Long said. He said he didn't expect our
plans in this proceeding to include proposed
new utility programs or requests for cost
recovery or a need for evidentiary hearings.

There are proceedings, though, where
the utilities have and will make proposals
for new programs or they have asked for cost
recoveries and which will require evidentiary
hearings. I'm specifically referring to
Edison's Grid Safety and Resiliency Program.
The PHC for that is tomorrow and I just
encourage the Commission to carefully
consider not conflating the of work that
needs to be done in that proceeding with the
work that needs to be done in this proceeding and to keep them separate.

The work in both proceedings is urgent and we plan to do it all, but we do think that it's appropriately considered separately.

ALJ ALLEN: Thank you. Given that you have raised that, I would ask for the input if other parties have an opinion about the relationship between that proceeding and this proceeding whether they should be consolidated, whether they should not be consolidated, whether the Edison proceedings should trail this one, whether they should proceed concurrently. I just want to hear what other parties think about the relationship between the two proceedings.

Ma'am. Ms. Hook, go ahead.

MS. HOOK: Charlyn Hook, Public Advocates Office.

We support Edison's Grid Safety and Reliability Projects Program proceeding separately and concurrently with this OIR.

ALJ ALLEN: Thank you. Any other parties?

MS. KOSS: Rachel Koss for CUE.

And we agree that this proceeding is separate and should remain separate from the
Grid Safety and Resiliency Program and that the two proceedings should run concurrently on the same timeline.

ALJ ALLEN: Ma'am.

MS. MORSONY: Katie Morsony for TURN. I just wanted to note that a prehearing conference statement was filed by the Joint Parties in the GS and RP yesterday that outlined both the Public Advocates, TURN perspective, the SCE perspective and also the CUE perspective. We also recommend moving forward concurrently but perhaps being aware of the different deliberative loads in each of the cases and how that may impact the schedule and the time needed.

ALJ ALLEN: One question I had is: How much or how many of the issues in that proceeding would be dependent upon what the actual plan approved by the Commission in this proceeding would be? In other words, for that, you know, I have not been reviewing the record in that proceeding so I don't have an opinion. But my question is: Is that other proceeding getting out ahead of this proceeding? Do we need this proceeding? Do we need a result here before we can go ahead with the issues in that proceeding?

Mr. Archer.
MR. ARCHER: No. I don't think so, your Honor. I think this proceeding is what the utilities must do to comply with SB-901. Our separate proceeding is what the utilities can do if the Commission gives us permission to do it. So I don't think, while there is some overlap between the two, one is not dependent on the other and we strongly feel they should go forward concurrently and expeditiously.

ALJ ALLEN: Thank you.

MS. HOOK: Charlyn Hook, Public Advocates Office.

Yeah, we do see that there is some overlap between what's being requested in Edison's application proceeding and what is required per the SB-901 legislation, but the other proceeding gives us a forum and opportunity to review testimony, put in our own testimony, do discovery, review the costs and have evidentiary hearings. And we don't see time to do that in this rulemaking.

ALJ ALLEN: I would encourage that if parties are thinking of doing discovery that you are free to do discovery now. This is an open proceeding. Certainly I understand that the utilities' plans may still be under development and so they may not have complete
answers for discovery that's served on them asking about the contents of the plan, but certainly if parties have some preliminary questions and want to do discovery, the proceeding is open.

The question would be, of course: What is the scope of discovery if we are not having hearings? So I certainly don't want anything that is too horribly -- going to be too horribly burdensome or overbroad in discovery, but if you have some specific questions, specific requests, you should feel free to go ahead and start asking them. And if there's question about the timing or the burden, those can be referred to Judge Thomas or I.

I think we have largely covered the -- kind of the points that I wanted. So this has been useful feedback and we'll consider the various comments we have gotten and incorporate this into the scoping memo to give guidance for going forward. So that has been helpful.

Are there other points that we wish to raise?

First -- I'm sorry, Ma'am. I forgot your name in the back. And if you could stand up, please, that would be helpful. And
then Mr. Long.

MS. MAURATH SOMMER: April Maurath Sommer, Protect Our Communities Foundation.

Just one thing I think might be helpful would be if there is a web page that put together, that pulls together all of these different proceedings, I think that would be really helpful for the public parties.

PRESIDENT PICKER: We are actually trying to prepare something like that because there are a variety of tasks, some of which are underway separately, some of which are -- and while there's overlaps to the conversation we have had here, there are things that are implicit in SB-901 but aren't necessarily as closely aligned to the wildfire mitigation programs.

So we understand the challenge of trying to -- for you to understand it. I would just be honest that it is also a challenge for us to keep track of things and how they relate to each other. It probably won't be as detailed or as sophisticated initially as our DER action plan, but I think the general intent is to show that as we have to deal with these larger challenges and changes in society and roles of the
utilities, we have to kind of map out how we're going to try to do that.

MS. SOMMER: Great. Thank you.

MR. LONG: Your Honor, Tom Long for TURN.

I just wanted to address what I perceive as a couple of loose ends that came out of the conversation.

One was there was mention of the utilities developing a template and of course I just wanted to note that TURN prepared its own template to get the ball rolling. And we hope the utilities took that into consideration in what they're developing.

We're interested in that. We think that can be a way to streamline the presentations and help us focus on exactly what is needed to comply with SB-901. So we encourage that effort and would like to hear more from the utilities by e-mail or some way about this notion of a webinar. We hope that would be a conversation and not just "here's our template and this is what we're going to do" kind of thing. That is one thing.

The other is you just mentioned discovery. I think a couple of us suggested in our comments that given the very fast-track nature of this proceeding that
there be a fast-track discovery process; that instead of the normal 10-business-day turnaround time or 14-calendar-day turnaround time for data request responses, that utilities endeavor to meet a 5-business-day or 7-calendar-day turnaround time. Also that there be a discovery portal set up by the utilities, either each of them separately or a single portal, however they want to do it, that enables us to see all the requests that have come in and all the responses so that we can avoid redundancy in our discovery.

ALJ ALLEN: I like the idea of a discovery portal, whether it's a unified one or separate one because I think that way you can avoid answering redundant or similar questions. So I would highly recommend that that be set up.

Judge Thomas.

ALJ THOMAS: I had a question for Mr. Archer.

When are you planning on circulating the template? You had suggested a couple of days, November 27th and 28th, which is coming up awfully soon, the week after Thanksgiving. And therefore were you planning on circulating those today, this week?

MR. ARCHER: I will just defer that to
one of my other colleagues. They're closer to the issue than I am.

ALJ THOMAS: Okay. And then the other question, the follow-up to that is: Did you take into account the information that TURN submitted in developing this template?

I like the idea of getting this around quickly and having some sort of a webinar so that we can allow remote participation quickly. I just want to make sure that I understand the process that you're proposing.

MS. KOO: Your Honor, Alyssa Koo, PG&E.

I think we would be happy to circulate the template today after the -- to the distribution list for this hearing. And then we were proposing to have the webinar on the 27th or 28th, if we can agree on a date to kind of go over it. I have to admit, I was not that closely involved in developing the template, so I can't speak to what extent Mr. Long's proposal was incorporated.

MS. GENAO: This is Laura Genao with Southern California Edison.

Our template was developed before we saw TURN's template, but we are more than happy to consider it and the workshop I think is a good time to talk about where it might
fit, whether or not yours is better. We are absolutely willing to accommodate that and have that discussion.

ALJ THOMAS: If TURN -- if you're prepared, Mr. Long, to circulate your template as well, that would be appropriate as well to the full service list.

MR. LONG: In fact it's attached to our OIR comments. We have already done that.

ALJ THOMAS: Okay. Great.

There was one point and it is sort of a minor point, but PacifiCorp mentioned something about coordination with the large IOUs. You can go ahead and do that on your own. We don't need to order that. So please go ahead and do that now without further action by the Commission. Don't wait for us to -- all of you are free to talk to each other at any time and coordinate in any way that is appropriate. So don't wait for us to tell you to do discovery or coordinate or meet and confer; just go ahead and start that because we really do have a short timeline.

In terms of the website proposal, I think that is a great one. We do have a website out for this proceeding. We don't -- I don't know that we have one that links all of the related proceedings like the Edison
application or the Rizzo Emergency Preparedness, but we'll take that suggestion as well. But there is -- if you search wildfire mitigation plans on our website, you will get our webpage on that. If anybody has any suggestions for what should be on it that isn't there, we have done a lot of outreach to try to send local communities and a bunch of, you know, public safety organizations seeking informal input from them as well. So that page is also kind of a landing spot for that.

ALJ ALLEN: Ms. Moosen.

MS. MOOSEN: Just segueing off of one of your comments.

One of the things that we would request that has been quite useful in the past where you have an umbrella rulemaking that touches upon many active proceedings in other particular applications, is to have at the outset -- have the utilities prepare a related case matrix that becomes part of the record. It's a really useful tool and you update it periodically. It should be posted to the website of course but at least made available here so that when the Commission already has in place proceedings that are the time and the place for dealing with deep
dives into much more substantive material and specific funding asks that we know where to go.

And it's difficult, I know, for the Commission to get their arms around all of that, especially with something as broad as this subject matter but it's a very useful tool and I would guess that it's not a big lift for them to produce. The are good at case managing and they know which cases relate to which. So I would ask that that be prepared and posted for the public or somehow at least distributed to the service list here.

ALJ ALLEN: Any other housekeeping matters, ma'am?

MS. FERNANDEZ: Laura Fernandez for CMUA.

We would like to request that to the extent that there's informal activities or coordination going on amongst parties that are preparing these plans, that this information for webinars, about templates, or any sort of informal workshops are circulated to the service list so that parties who are not preparing mitigation plans in this proceeding, but who are potentially impacted by them, such as East Bay MUD and other
utilities are able to participate as they would like to participate.

ALJ ALLEN: Yes. We would encourage the broad inclusion of all the parties. I mean, certainly, if parties want to have separate conversations, we can do that, but to the extent possible, I think it would be best if communications are inclusive.

Are there any other housekeeping matters to address?

MS. HOOK: Charlyn Hook, Public Advocates Office.

Yes. Thank you for informing us we can do discovery now. We note that parties have asked for an expedited discovery turnaround, and we would support that, and we would also like to request a dedicated administrative law judge for discovery disputes, if they arise, because they can take a long time.

ALJ ALLEN: Any discovery disputes should be referred to Judge Thomas and I, and we certainly support the idea of expedited responses. The scoping memo may lay this out more formally. To the extent expedited responses are possible, we would encourage those.

At this time I think I will turn it
over to President Picker.

PRESIDENT PICKER: Thank you.

I just wanted to say a few things that I have been repeating a lot in different settings to remind people of the overall context and try to avoid the use of the word "scope," which has a particular meaning here at the PUC, but one in 10 wildfires is related to utility infrastructure, and out of that one in 10, half them are caused by extrinsic actors. So, for example, classic is mylar balloons, and that's going to be very hard to account for in a wildfire mitigation plan. As a matter of fact, I'm aware of many efforts to try to get mylar balloons banned, and it's an ongoing challenge, and it's still not regulated, and I'm definitely not asking for jurisdiction over mylar balloons. We just got hot air balloons. But I do think that those are the kinds of things that when you think about -- you know, in case you missed it, earlier this summer, there was a wildfire caused in Chico by a bear that climbed a pole and sadly for the bear, their behavior resulted in bear death, but also some couple hundred acres in wildfire and property damage. So we have to be aware that not everything, not all
problems are going to be solved here.

I'll just go back to outages. There was an 80,000 customer outage that happened previous to the southern California fires that was not related to public safety power shutoff. So local governments need to not count on solving all of their problems here at the PUC. And, again, I'll make a plea for being realistic about what we can accomplish here in the proceeding, but also set the expectation that not all problems will be cured here in this proceeding, and people need to think about how they are going to address that.

Ms. Moosen had a ringing endorsement of centralized planning that I would like to read into the PCIA Phase 2, but, again, I think we have to be realistic about how much we can do.

Similarly many of the characteristics you experience in southern California due to the chaparral brushlands are going to be different than you see in the coastal mountains of northern California with wild oak woodlands and high Sierran forests.

So it will be a challenge to really come up with a singular perfect plan that will stand for all time. So, A, there ought
to be some regional variation in how we address this, or we ought to be permissive enough that there's actual scope for implementation at the local level based on vastly differing conditions.

So I'm just aware that there's only so much that can be done in a regulatory setting. I will say that some of things I heard hear strike me not so much as necessarily being cured by rules, but simply by improved implementation. So all these things together suggest to me, as the judge started, that we will probably not come up with the perfect framework for plans at the outset, particularly given the timeline, and I want myself and other people to start with the expectation that we may come up with plans this year that we evaluate and learn and that we iterate into, perhaps, a second set of plans.

We have done this elsewhere in vegetation management where we started with the RAMP plan. It was based on information Cal Fire's fire scientists were able to provide to us on fuel situation, and then over time, as the drought continued and we saw the advancing impacts of climate change, and we learned about the presence of
conditions that have never been experienced before in northern California, much more ferocious winds in specific canyons than had ever been measured before, we learned, and we're going to have to adapt.

So I'm saying this to myself over and over and over again so that I temper my expectations about the judge's statement that what we need to do is avoid the worst imperfections, and be humble, and also just remind people elsewhere that not everything can be cured here. There are clearly things are outside of the PUC and the utility scope that we all need to be aware of, and I think for that we need to look at our colleagues and partners in Cal OES, and Cal Fire in terms of fire, and OES in terms of a variety of other kinds of emergencies. These are pressing for us, but I want to humble about the scope of what we can actually achieve in every case here.

ALJ ALLEN: Thank you.

Commissioner Rechtschaffen, do you have anything?

COMMISSIONER RECHTSCHAFFEN: No.

ALJ ALLEN: Thank you.

I have two more appearance forms, Zone 7 Water Agency requesting party status,
and April Sommer for Protect Our Communities Foundation requesting party status; those requests are granted.

Is there anything else that we need to address today?

(No response.)

ALJ ALLEN: Seeing none, thank you very much for your time. Greatly appreciated.

This prehearing conference is adjourned.

(Whereupon, at the hour of 12:00 p.m., at San Francisco, California, the Commission then adjourned.)  

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BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE
STATE OF CALIFORNIA

CERTIFICATION OF TRANSCRIPT OF PROCEEDING

I, Carol A. Mendez, Certified Shorthand Reporter No. 4330, in and for the State of California, do hereby certify that the pages of this transcript prepared by me comprise a full, true, and correct transcript of the testimony and proceedings held in this matter on November 14, 2018.

I further certify that I have no interest in the events of the matter or the outcome of the proceeding.

EXECUTED this 14th day of November, 2018.

Carol A. Mendez
CSR No. 4330
BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE
STATE OF CALIFORNIA

CERTIFICATION OF TRANSCRIPT OF PROCEEDING

I, Shannon Ross, Certified Shorthand Reporter No. 8916, in and for the State of California, do hereby certify that the pages of this transcript prepared by me comprise a full, true, and correct transcript of the testimony and proceedings held in this matter on November 14, 2018.

I further certify that I have no interest in the events of the matter or the outcome of the proceeding.

EXECUTED this 14th day of November, 2018.

SHANNON ROSS
CSR No. 8916