SENATE JUDICIARY COMMITTEE
Senator Thomas Umberg, Chair
2021-2022 Regular Session

SB 533 (Stern)
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Hearing Date: April 27, 2021
Fiscal: Yes
Urgency: No
AWM

SUBJECT

Electrical corporations: wildfire mitigation plans: deenergization events: microgrids

DIGEST

This bill requires electrical corporations to identify which circuits are frequently deenergized and the steps taken to reduce the need for deenergization in their wildfire mitigation plans, and requires electrical corporations to collaborate with local governments, tribal governments, and community choice aggregators to develop microgrids and other energy solutions.

EXECUTIVE SUMMARY

California's electrical utility infrastructure has caused some of California's worst wildfires. In order to mitigate the risks, electrical corporations will sometimes deenergize those lines; while this reduces the risk of fires, the loss of power imposes a severe burden on the affected communities who are left without electricity, sometimes for days at a time. Current law requires electrical corporations to file wildfire mitigation plans with the California Public Utilities Commission (CPUC) that explain, among other things, what steps they have to notify consumers of impending deenergization events. Current law also permits the development of microgrids, which can function separately from a larger electrical grid.

This bill requires electrical corporations, as part of their wildfire mitigation plans, to identify which circuits have been frequently deenergized and what steps the electrical corporation is taking to avoid deenergization events in the future. The bill currently requires the CPUC to create a database of certain critical facilities and infrastructure and for electrical corporations to collaborate with local governments, tribal governments, and community choice aggregators; however, the author has agreed to accept amendments that will instead require the CPUC to hold meetings on whether additional databases are necessary. The author has also agreed to amendments to provide privacy protections for the consumers whose information might be turned over to a local government, tribal government, or community choice aggregators, and to certain technical clarifying amendments.

This bill is sponsored by the author and is supported by a number of local governments, access groups, and other entities. The bill is opposed by several energy companies. This bill was passed out of the Senate Energy, Utilities and Communications Committee with a 9-3 vote.

PROPOSED CHANGES TO THE LAW

Existing law:

1) Establishes the California Public Utilities Commission (CPUC) with regulatory authority over public utilities, including electrical corporations. (Cal. Const., art. XII.)

2) Defines "electrical corporation" as every corporation or person owning, controlling, operating, or managing any electric plant for compensation within this state, except where electricity is generated on or distributed by the producer through private property solely for its own use or the use of its tenants and not for sale or transmission to others. The definition does not include certain corporations employing certain energy technologies for their own use or for the use of tenants or not more than two corporations on adjacent properties, or independent solar energy producers. (Pub. Util. Code, § 218.)

3) Provides that each 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. (Pub. Util. Code, § 8386 (a).)

4) Requires each electrical corporation to annually prepare and submit a wildfire mitigation plan to the Wildfire Safety Division, covering at least a three-year period. The plan must include a wide range of information, including the objectives of the plan; a description of the preventive strategies and programs to be adopted by the electrical corporation to minimize the risk of its electrical lines and equipment causing catastrophic wildfires; and matters related to disabling reclosers and deenergizing portions of the electrical distribution system, including steps to mitigate the effects of deenergization and notify customers of deenergization. (Pub. Util. Code, § 8386(b), (c).)

5) Requires the Wildfire Safety Division to approve or deny each wildfire mitigation plan, in consultation with the Department of Forestry and Fire Protection, and oversee compliance with the plan. (Pub. Util. Code, § 8386.3.)

6) Provides that the CPUC shall assess penalties on an electrical corporation that fails to substantially comply with its plan. (Pub. Util. Code, § 8386.1.)

7) Defines "microgrid" as an interconnected system of loads and energy resources, including, but not limited to, distributed energy resources, energy storage, demand

response tools, or other management, forecasting, and analytical tools, appropriately sized to meet customer needs, within a clearly defined electrical boundary that can act as a single, controllable entity, and can connect to, disconnect from, or run in parallel with, larger portions of the electrical grid, or can be managed and isolated to withstand larger disturbances and maintain electrical supply to connected critical infrastructure. (Pub. Util. Code, § 8370.)

8) Requires the CPUC, in consultation with the State Energy Resources Conservation and Development Commission and the California Independent System Operator (CAISO), to take specified actions by December 1, 2020, to facilitate the commercialization of microgrids for distribution customers of large electrical corporations, including developing microgrid service standards necessary to meet state and local permitting requirements and developing methods to reduce barriers for microgrid deployment without shifting costs between ratepayers. (Pub. Util. Code, § 8371.)

9) Requires the CPUC, in consultation with the CAISO, to establish resource adequacy requirements for electrical corporations, community choice aggregators (CCAs), and electric service providers (ESPs). (Pub. Util. Code, § 380.)

10) Requires that all charges demanded or received by any public utility for any product, commodity or service be just and reasonable, and that every unjust or unreasonable charge is unlawful. (Pub. Util. Code, § 451.)

This bill:

1) Makes findings and declarations relating to the state's urgent need to accelerate development and procurement of resources that do not emit greenhouse gases when emitting electricity, the risks posed to communities by the deenergization of electrical infrastructure as a wildfire prevention tool, and the importance of uninterrupted electrical service to critical facilities and infrastructure.

2) Adds additional definitions to the chapter governing microgrids (Chapter 4.5 of Division 4.1 of the Public Utilities Code):
    a) "Access and functional needs population" has the same meaning as defined in Government Code section 8593.3.
    b) "Critical circuit" is an electrical circuit that supplies electricity to one or more critical facilities or to critical infrastructure, as reported to the commission by each electrical corporation.
    c) "Critical customer" is a customer of an electrical corporation receiving a medical baseline allowance pursuant to section 739 of the Public Utilities Code who resides within a high fire-threat district or vulnerable transmission area, or a customer of a local publicly owned electric utility enrolled in a life support discount program who resides within a high fire-threat district or vulnerable transmission area.

d) "Critical facilities and critical infrastructure" are facilities and infrastructure that are essential to health and public safety that require assistance and advance planning to ensure their resiliency during a deenergization event, as reported to the CPUC by the Office of Emergency Services based on consultations with local governments, including, but not limited to, facilities and infrastructure within the United States Department of Homeland Security's critical infrastructure sectors.
e) "Deenergization event" has the same meaning as provided in Part 6), below.
f) "High fire-threat district" is a geographic area identified by the commission as a Tier II or Tier III fire-threat area, where there is an elevated or extreme risk for fires caused by electrical infrastructure igniting and spreading rapidly.
g) "Low-income communities" are census tracts with median household incomes at or below 80 percent of the statewide median income or with median household incomes at or below the threshold designated as low income by the Department of Housing and Community Development's list of state income limits adopted pursuant to Section 50093 of the Health and Safety Code.
h) "Low-income households" are households with incomes at or below 80 percent of the statewide median income or with household incomes at or below the threshold designated as low income by the Department of Housing and Community Development's list of state income limits adopted pursuant to Section 50093 of the Health and Safety Code.
i) "Project" is a microgrid project that meets the resiliency needs of a local government, joint powers authority, or special district and may include microgrid projects that meet the resiliency needs for critical facilities and critical infrastructure, critical customers, or customers from an access and functional needs population that can operate disconnected from the distribution system for a predetermined period of time.
j) "Resiliency" is the ability to mitigate and recover from an electrical service disruption using generation resources that maintain all or essential electrical service to customers, including critical facilities and critical infrastructure. Electrical service disruptions include, but are not limited to, emergencies, natural disasters, planned or unplanned electricity outages, or other events that may cause disruptions to important public services.

3) Requires the CPUC, in consultation with the Office of Emergency Services, to create a database of critical facilities and critical infrastructure, and related critical circuits, that are located in a high fire-threat district served by an electrical corporation, and identify with respect to each whether it serves low-income households or low-income communities. The commission and the Office of Emergency Services may prioritize which critical facilities, critical infrastructure, and related critical circuits, or any combination of those items, to include within the database.

4) Requires an electrical corporation to collaborate upon request with local governments or CCAs within its service area to identify critical circuits and microgrid projects.

5) Requires an electrical corporation to provide local governments, tribal governments, and community choice aggregators with electrical distribution equipment data, transmission and distribution circuit data, grid hardening plans, and other information requested by local governments, tribal governments, and community choice aggregators to ensure the local governments, tribal governments, and community choice aggregators are able to plan and develop microgrid projects collaboratively with the electrical corporation. Upon receipt of such a request:
    a) The electrical corporation must respond in no later than 30 days.
    b) The electrical corporation may require use of a CPUC-approved nondisclosure agreement before providing the requested information. The CPUC must develop the nondisclosure agreement by March 1, 2022.

6) Defines, within the chapter governing wildfire mitigation (Public Utilities Code, division 4.1, chapter 6), "deenergization event" as the proactive interruption of electrical service for the purpose of mitigating or avoiding the risk of causing a wildfire.

7) Requires an electrical corporation, as part of its wildfire mitigation plan, to identify the circuits that have frequently been deenergized to mitigate the risk of wildfire and the measures the electrical corporation has taken or will take to reduce the need for deenergization of those circuits. Measures may include replacing, hardening, or undergrounding any portion of the circuit or upstream transmission or distribution lines, or the installation of microgrids.

8) Finds and declares that, to ensure the safety of the electrical distribution and transmission grid, the interest in the public disclosure of electrical equipment data, transmission and distribution circuit data, and grid hardening plans of electrical corporations is outweighed by the interest in maintaining the confidentiality of the information to be provided subject to the nondisclosure agreements.

COMMENTS

1. Author's comment

According to the author:

> Over the past two years, public safety power shutoff events have left more than three million Californians without power for days at a time. Events resulting in a power outage are meant as a last resort to ensure the public is safeguarded from wildfires sparked by electric utility infrastructure. However, their frequent use by the state's biggest investor-owned utilities is now a problem and a burden to

electric customers and local governments. These outages are exacerbated as many Californians continue following COVID 19 preventative measures, resulting in more time working from home, going to school from home and being dependent on access to the internet. Now add in three days or more of a PSPS outage and you just lost everything in your refrigerator, work productivity, education, and access to communication and internet service. Additionally, city and county critical services are strained as water services are disrupted, traffic lights stop working, and cities responding to the power outage initiate protocols as if a city or county were experiencing a natural disaster. But with no declared state of emergency, the costs of these PSPS outages are borne entirely on local governments. Add on top of this that it appears to be the same segments of electric infrastructure being shut-off over and over and you quickly realize PSPS events can be significantly reduced if IOUs target and repair their most PSPS-prone zones. SB 533 will require these repairs and upgrades, and also requires more microgrid planning is included to ensure energy resiliency and grid reliability.

2. Background: the risk of wildfires caused by electrical equipment and the rise of deenergization events

In recent years, California has seen an increase in wildfires caused by electrical equipment, which has in turn led to electric utilities deenergizing electric lines to reduce the fire risk. According to the analysis of the Senate Energy, Utilities and Communications Committee, which is incorporated here by reference:

California wildfire and electric utility infrastructure. Electrical equipment, including downed power lines, arcing, and conductor contact with trees and grass, can act as an ignition source. Risks for wildfires also increased with the extended drought and bark beetle infestation that has increased tree mortalities and, as a result, increased the fuel, and risk for wildfires. In recent years, California has experienced a number of catastrophic wildfires, including several that ignited by electrical utility infrastructure.

Deenergizing electric lines. Generally, electric utilities attempt to maintain power and ensure continued reliability of the flow of electricity. However, as recent catastrophic fires have demonstrated, the risk of fire caused by electric utility infrastructure can pose a great damage and loss of life, perhaps greater than the risks of turning off the power to certain circuits. As a safety consideration, electric utilities have the ability and authority to deenergize electric lines in order to prevent harm or threats of harm. However, deenergizing electric lines can result in the loss of electricity to households, businesses, traffic signals, communication systems, critical facilities, water treatment facilities, emergency services and others which can also cause harm. Therefore, efforts to deenergize electric lines must consider the potential harm of the energized lines causing a

wildfire against the safety hazards associated with eliminating electricity to the areas served by the line(s).

Recent history with power shutoffs. Utilities have increasingly utilized proactive power shutoffs as a tool to prevent sparking. The practice of proactively deenergizing electric circuits to prevent catastrophic wildfire began by San Diego Gas & Electric (SDG&E) after several electric utility infrastructure-ignited catastrophic fires in 2007. Proactive power shutoffs were one of the many measures SDG&E implemented to reduce the risk of fire ignited by its infrastructure (other measures included installing steel poles and expanding ground and aerial inspections). Although the use of proactive power shutoffs were met with opposition and concerns about its use by communities, ultimately the CPUC acknowledged SDG&E's authority to deenergize lines in order to protect public safety, noting this authority in Public Utilities Code [sections] 451 and 399.2. Since then the practice has also been adopted by the state's two largest electric utilities—Pacific Gas & Electric (PG&E) and Southern California Edison (SCE).

The CPUC has taken steps to reduce the harm from deenergization events, such as adopting protocols requiring electrical corporations to provide customers and public safety partners with notice of an event.[1] Prior legislation also requires electrical corporations to file wildfire mitigation plans with the CPUC, which require the corporations to set forth their plans to harden their system and reduce wildfire ignitions caused by utility infrastructure.[2] The CPUC is also working to facilitate the commercialization and deployment of microgrids for distribution customers of large electrical corporations, with the goal of increasing grid resiliency.[3]

3. <u>This bill encourages local governments, tribal governments, and community choice aggregators to explore developing micgrogrids, with assistance from electrical corporations</u>

This bill is intended to build on existing electrical infrastructure requirements and hasten the development of solutions to avoid deenergization events. The bill requires electrical corporations, as part of their wildfire mitigation plans, to identify which of their circuits have been frequently deenergized to mitigate wildfire risk, and to identify what steps they have taken or will take to reduce the need to deenergize those circuits in the future; steps may include replacing, hardening, or undergrounding portions of the circuit or upstream transmission or distribution lines, or installing microgrids.

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[1] *See* CPUC, *Resolution Extending De-Energization Reasonableness, Notification, Mitigation and Reporting Requirements in Decision 12-04-024 to All Electric Investor Owned Utilities*, Res. No. ERSB-8 (Jul. 16, 2018).
[2] *See* AB 1054 (Holden, Ch. 79, Stats. 2019); SB 901 (Dodd, Ch. 626, Stats. 2018); SB 1028 (Hill, Ch. 598, Stats. 2016).
[3] *See* SB 1339 (Stern, Ch. 566, Stats. 2018).

The bill also implements a system that would allow local governments, tribal governments, and CCAs to obtain information from electrical corporations so that the local governments, tribal governments, and CCAs can work on identifying critical circuits and potential microgrid projects. As currently drafted, the bill requires the CPUC, in consultation with the Office of Emergency Services, to create a database of critical facilities and critical infrastructure that are located in high fire-threat districts and identify whether those circuits serve low-income households or communities. Electrical corporations would also have to collaborate with local governments, tribal governments, or CCAs on request and provide information relating to a wide range of data to enable the collaborative development of microgrid projects. As currently drafted, the bill requires the CPUC to develop a nondisclosure agreement for information from the electrical corporations that, for security or other reasons, should remain confidential.

Rather than move forward with the database required by the bill as currently in print, the author is amending the bill to require the CPUC to engage in meetings in high fire-risk areas to determine whether new secured databases are necessary to collect data that will further the efforts of creating microgrids and enhancing community resiliency. The amendments are described in further detail in Comment 4, below. The bill also appears to have inadvertently omitted "tribal governments" from the collaboration requirement, so the author has agreed to amend the bill to include them.

4. The bill's requirement that electrical corporations turn over information to local governments, tribal governments, and CCAs requires amendments to ensure that consumer privacy is protected

The bill's requirement that electrical corporations provide local governments, tribal governments, and CCAs with information on request does not contain any restriction on turning over consumers' personal data. While it does not appear that this is the type of information the author intends to be shared—the bill refers to more technical information, such as electrical distribution equipment data and grid hardening plans—the lack of limiting language means that an electrical equipment would be required to provide any and all personal information it has on individual consumers. According to the author, however, customer-specific information is occasionally relevant, such as when local governments need to determine which customers have medical equipment that would be impacted by a deenergization event, or where customers are businesses that wish to be included in microgrid planning.

In order to balance the interest in consumer privacy without placing an absolute bar on disclosures that could harm stakeholders, the author has agreed to amend the information-sharing provisions in this bill. The amendments, set forth in detail below, will require electrical corporations to provide customer personal and location information on a confidential basis and prohibits the local government, tribal government, or CCA from using the information for any purpose other than planning for and developing microgrids. The amendments also delete the current provision

requiring the CPUC to create a nondisclosure agreement for electrical corporations to produce confidential information and instead requires local governments, tribal governments, and CCAs to maintain the confidentiality of information the electrical corporations deem confidential, which appears consistent with existing California Public Records Act exemptions relating to utility information provided in confidence.[4]

5. Amendments

As discussed above, the author has agreed to amendments that will eliminate the database-creation requirement and instead require the CPUC to explore whether such new databases are necessary. The author has also agreed to amendments that will ensure that, when electrical corporations provide local governments with customer information, that customer-specific information is kept confidential and will not be used for an improper purpose. Finally, the author has agreed to certain minor amendments to bring in entities that were inadvertently omitted.[5]

Amendment 1

At page 13, in line 24, strike out "or", and after "city and county" insert ", or special district"

Amendment 2

On page 14, strike out lines 24-33, inclusive, and insert:

"(a) The commission, in consultation with the Office of Emergency Services, shall convene two or more public meetings located in high fire-threat districts served by an electrical corporation to assess and determine whether new secured databases are necessary for the collection of data relating to critical facilities, critical infrastructure, and related critical circuits, that are located in a high fire-threat district served by an electrical corporation, in order to increase local energy resiliency by providing local governments, tribal governments, and community choice aggregators with information including information and data necessary to increase energy resiliency for low-income households or low-income communities."

Amendment 3

On page 14, in line 36, after "local governments" insert ", tribal governments,"

Amendment 4

On page 15, in line 7, after "corporation." insert "If a local government, tribal

[4] *See* Gov. Code, § 6254(e).
[5] These amendments are subject to technical and grammatical changes by Legislative Counsel.

government, or community choice aggregator requests information under this subdivision relating to individual customers, customers' personal information, or customers' locations, the electrical corporation must provide the information on a confidential basis, and the local government, tribal government, or community choice aggregator shall not use the information for any other purpose than planning and developing microgrid projects. Any local government, tribal government, or community choice aggregator that requests and accepts the data provided pursuant to this subdivision shall maintain the confidentiality of any information designated as confidential by the electrical corporation."

Amendment 5

On page 15, delete lines 12-15, inclusive.

6. Arguments in support

Bill supporter City of Santa Clarita states:

> Our community has experienced several public safety power shutoff (PSPS) events, at times impacting over 25,000 businesses and households for periods of over 24 consecutive hours of power loss. On two occasions, December 23, 2020, and December 24, 2020, the City experienced major PSPS events that left thousands of residents without power and many with damaged devices or forced to discard perishable food items during a major holiday week.
>
> This critical piece of legislation is thoughtfully designed and will accelerate the development and implementation of enhanced electrical utility infrastructure in areas that have been most impacted by de-energization events.

Bill supporter City of Moorpark states:

> Since [the] inception of the PSPS program, Moorpark has endured numerous, recurring PSPS outages, most recently multi-day outage events in December 2020 and January 2021. In the most recent event of January 19-21, Southern California Edison (SCE) de-energized six of the ten circuits that serve Moorpark, turning off power to 8,362 customers for upwards of 40 consecutive hours. That included the largest commercial corridor in the City where many of our businesses are located, further damaging our business community already being battered by COVID-19…
>
> SB 533 applies a commonsense, easy to understand, and flexible legal standard for SCE and other [investor-owned utilities (IOU)] to minimize the impacts of PSPS outages. It establishes a clear definition of a circuit that is disproportionately impacted by PSPS outages and offers 12 months for an IOU to mitigate the need to de-energize that circuit. SB 533 also offers IOUs flexibility to

> determine themselves how it is achieved. Circuit segmentation, wire insulation, undergrounding, and other methods are all available to IOUs, and a reasonable amount of time is provided to achieve them. Indeed, SCE's own Corrective Action Plan indicated SCE needed one month to develop circuit mitigation plans and six months to construct them. Thus, 12 months should be plenty of time to complete mitigation measures.

7. Arguments in opposition[6]

According to bill opponent San Diego Gas & Electric Company (SDG&E):

> SB 533 [] implies that local government Behind-The-Meter (BTM) microgrids, without limit to the number of such microgrids, will serve more than one property. This is contrary to existing rules and tariffs. In Track 2 of the Microgrid OIR, the CPUC required the investor-owned utilities (IOU) to modify Electric Rules 18 and 19 to allow local governments to create BTM microgrids that serve a single adjacent property. This is limited to 10 instances statewide. SB 533 takes this concept and expands on it, paving the way for local governments and CCAs to build BTM microgrids to serve an unlimited number of properties without consideration of the impact. The CPUC limited the expansion of Rules 18 and 19 specifically to be able to assess how BTM service to an adjacent critical governmental facility works, before opening this approach more broadly. SB 533 undoes recently litigated regulatory requirements with no thought for the potential safety and liability consequences.

SUPPORT

350 Silicon Valley
California Association of Public Authorities for IHSS
City of Moorpark
City of Santa Clarita
City of Simi Valley
City of Thousand Oaks
Disability Rights California
El Dorado Irrigation District
Elders Climate Action, NorCal and SoCal chapters
Independent Living Resource Center
Rural County Representatives of California
Schneider Electric North America
UDW/AFSCME Local 3930

[6] Most of the opposition to the bill addresses provisions of the bill that have been amended out. It is unclear to what extent the opponents object to the bill as currently in print.

OPPOSITION

Coalition of California Utility Employees
San Diego Gas & Electric Company
Southern California Edison
The Utility Reform Network

RELATED LEGISLATION

Pending Legislation:

SB 99 (Dodd, 2021) requires the State Energy Commission to develop and implement a grant program for local governments to develop community energy resilience plans, including development of a formula for prioritizing funds for critical facilities in low-income or disadvantaged communities that are most likely to experience future electrical grid deenergization events, followed in priority by other critical facilities statewide. SB 99 is pending before the Senate Energy Appropriations Committee.

SB 52 (Dodd, 2021) adds "a deenergization event" to the definition of a "sudden and severe energy shortage" that can constitute a state of emergency under the California Emergency Services Act. SB 52 is currently on the Senate Floor.

AB 1403 (Levine, 2021) adds "deenergization" to the list of events that can constitute a state emergency under the California Emergency Services Act. AB 1403 is pending before the Assembly Appropriations Committee.

AB 1325 (Burke, 2021) requires the Public Utilities Commission to develop an incentive program to fund community microgrids that support the critical needs of vulnerable communities that utilize distributed energy resources for the generation of electricity. AB 1325 is pending before the Assembly Utilities and Energy Committee.

AB 1239 (Ting, 2021) renames the State Energy Resources Conservation and Development Commission as the Energy Commission. AB 1239 is pending before the Assembly Utilities and Energy Committee.

AB 418 (Valladares, 2021) establishes the Community Power Resiliency Program, administered by the Office of Emergency Services, to support local government efforts to improve resiliency in response to deenergization events by electrical corporations or local publicly owned electric utilities, and appropriates funds for the initial allocations to communities. AB 418 is pending before the Assembly Utilities and Energy Committee.

AB 280 (Robert Rivas, 2021) requires electrical corporations to submit their annual wildfire mitigation plans to the appropriate policy committees of the Legislature, in

addition to the Wildfire Safety Division. AB 280 is pending before the Assembly Committee on Utilities and Energy.

Prior Legislation:

SB 1313 (McGuire, 2020) would have required an electrical corporation to notify the Public Utilities Commission, Office of Emergency Services, and Department of Forestry and Fire Protection of potential deenergization events and the commencement and termination of deenergization events, and required the identification and report of the electrical corporation's transmission most susceptible to deenergization that has not been subject to hardening. SB 1313 died in the Senate Rules Committee.

SB 1312 (McGuire, 2020) would have required the Public Utilities Commission to develop standards relating to, inter alia, the prudence of an electrical corporation's capital expenditures on fire risk mitigation; and require the Public Utilities Commission, within 60 days of a public safety shutoff by an electrical corporation, to hold a hearing and determine whether the shutoff was prudent. SB 1312 died in the Assembly Utilities and Energy Committee.

SB 1233 (Moorlach, 2020) would have established the Electrical Infrastructure Revolving Loan Program, which would have provided loans to electrical corporations to expedite the implementation of activities to minimize the risk of their electrical lines and equipment causing catastrophic wildfires or to reduce the need of electrical corporations to engage in the intentional deenergization of portions of their transmission or distribution systems to minimize that risk, with priority to high fire-threat districts.

SB 1215 (Stern, 2020) would have implemented a program similar to the one in this bill wherein the Public Utilities Commission would establish a database of critical electrical facilities and infrastructure, and electrical corporations would be required to collaborate with local governments to allow for the development of microgrid programs. SB 1215 died in the Assembly Utilities and Energy Committee.

SB 1185 (Moorlach, 2020) would have required an electrical corporation or local publicly owned electric utility that had undertaken a deenergization event in the last year to submit a report to the State Air Resources Board and to each air pollution control and air quality management district affected by the deenergization event containing the description of the area affected by the event and the duration of the event. SB 1185 died in the Assembly Natural Resources Committee.

SB 826 (Dodd, 2020) would have added "a deenergization event" to the definition of a "sudden and severe energy shortage" that can constitute a state of emergency under the California Emergency Services Act, and required electrical corporations to coordinate with local governments to identify and upgrade community resource centers that could

be operated via generator during deenergization events. SB 826 died in the Assembly Utilities and Energy Committee.

SB 802 (Glazer, 2020) would have required an electrical corporation or local publicly owned electric utility that had undertaken a deenergization event in the last year to submit a report to the State Air Resources Board and to each air pollution control and air quality management district affected by the deenergization event containing the description of the area affected by the event, the duration of the event, and a description of any notifications provided to healthcare facilities regarding the commencement of and end of the deenergization event. SB 802 was held in the Senate Energy, Utilities and Communications Committee.

AB 2705 (Low, 2020) would have required an electrical corporation to provide to its customers at least 72 hours of notice prior to a deenergization event, with notice again at 48 and 24 hours prior, and include an estimate of the duration of the deenergization and the estimate of the total area expected to be affected, and shall provide updates of these estimates in all subsequent notifications sent during the deenergization event; and would have required the Public Utilities Commission to establish a program to provide emergency backup power to critical facilities and infrastructure and customers receiving medical baseline allowances. AB 2705 was held in the Assembly Utilities and Energy Committee.

AB 2179 (Levine, 2020) would have required the Public Utilities Commission, where it approves a wildfire mitigation plan that authorizes deenergization events, to adopt rules requiring the electrical corporation, on request from the appropriate local entity, to provide specified information relating to the deenergization event and those customers to be affected. AB 2179 was held in the Assembly Utilities and Energy Commission.

AB 2178 (Levine, 2020) would have added "deenergization" to the list of events that can constitute a state emergency under the California Emergency Services Act. AB 2178 died in the Senate Government Organizations Committee.

AB 1915 (Chu, 2020) would have required the Public Utilities Commission to adopt rules setting forth the circumstances under which an electrical corporation may undertake a deenergization event, and determine whether those rules were followed following a deenergization event. AB 1915 was held in the Assembly Utilities and Energy Committee.

SB 774 (Stern, 2019) would have required electrical corporations, in collaboration with local governments, to identify locations where sources of back-up electricity could provide increased resiliency, and permit the development of microgrids at those locations; and required the Public Utilities Commission to perform an annual compliance review of electrical corporations' wildfire mitigation plans. SB 774 died in the Assembly Utilities and Energy Committee.

SB 560 (McGuire, Ch. 410, Stats. 2019) moved authority for filing and approving wildfire mitigation plans to the Wildfire Safety Division and added information that an electrical corporation must include in its plan.

SB 167 (Dodd, Ch. 403, Stats. 2019) added deenergization-related disclosures to be included in an electrical corporation's wildfire mitigation plan, including a description of where and how the electrical corporation considered undergrounding electrical distribution lines within those areas of its service territory identified to have the highest wildfire risk in a commission fire threat map.

SB 70 (Nielsen, Ch. 400, Stats. 2019) assessments relating to undergrounding electrical distribution to be included in an electrical corporation's wildfire mitigation plan, and added a requirement that an electrical corporation include, as part of its deenergization protocols, mitigation efforts to reduce the impact on critical first responders, health and communication infrastructure, and certain individuals with health needs.

AB 1609 (Chen, 2019) would have required the Public Utilities Commission to direct electrical corporations to apply for programs reimbursing owners of residential properties in fire-prone areas to install improvements to reduce or eliminate the impacts of wildfire on residential properties or to purchase emergency equipment or supplies for use in case of a deenergization event. AB 1609 died in the Assembly Utilities and Energy Committee.

AB 1513 (Holden, Ch. 396, Stats. 2019) required that an electrical corporation notify the Wildfire Safety Division upon completion of vegetation movements in its wildfire mitigation plan, and authorized the Wildfire Safety Division to evaluate the adequacy of the work performed.

AB 1054 (Holden, Ch. 79, Stats. 2019) required wildfire mitigation plans to cover at least a three-year period and established the California Wildfire Safety Advisory Board to advise and make recommendations related to wildfire safety to the Wildfire Safety Division.

AB 1005 (Holden, Ch. 70, Stats. 2019) established the California Wildfire Safety Advisory Board and the Wildfire Fund; established various requirements on electrical corporations relating to reporting in areas including wildfires ignited in the electrical corporation's service area; and granted the Wildfire Safety Division the authority to approve or deny wildfire mitigation plans.

AB 868 (Bigelow, 2019) would have required wildfire mitigation plans to be submitted to the Public Utilities Commission and required electrical corporations to adopt certain protocols with respect to deenergization incidents. AB 868 died in the Assembly Appropriations Committee.

AB 740 (Burke, 2019) would have required the Public Utilities Commission's standards for microgrids not to include a size cap on a microgrid project where it (1) does not use technologies operating by combustion, and (2) is capable of continuous operation for 72 hours or longer. AB 740 died in the Senate appropriations Committee.

SB 1339 (Stern, Ch. 566, Stats. of 2018) requires the CPUC, in consultation with the CEC and the CAISO, to take specified actions by December 1, 2020, to facilitate the commercialization of microgrids for distribution customers of large electrical corporations.

SB 901 (Dodd, Ch. 626, Stats. 2018) added the requirement that wildfire mitigation plans be approved by the Public Utilities Commission, expanded the list of information that an electrical corporation must include in such a plan, and gave the Public Utilities Commission the authority to assess penalties on an electrical corporation for failing to comply with a plan.

PRIOR VOTES:

Senate Energy, Utilities and Communications Committee (Ayes 9, Noes 3)

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