

BEFORE THE PUBLIC UTILITY COMMISSION OF OREGON

In the Matter of

Rulemaking Regarding Electric Utility
Wildfire Mitigation Plan.

Docket No. AR 638

**OCTA COMMENTS ON STAFF’S DRAFT
TEMPORARY RULES FOR INCIDENT
REPORTING AND PUBLIC SAFETY
POWER SHUT-OFFS**

INTRODUCTION

The Oregon Cable Telecommunications Association (“OCTA”) appreciates this opportunity to provide the Oregon Public Utility Commission (“OPUC” or “Commission”) with comments on OPUC Staff’s Draft Temporary Rules for Incident Reporting and Public Safety Power Shut-offs (“PSPS events”) (the “Temporary Wildfire Rules” or “Rules”).¹ As stated in the letter accompanying the Temporary Wildfire Rules, these Rules are being proposed to “[e]stablish baseline protocols for communication ... and coordination with key partners prior to, during, and after wildfire de-energization events.”² OCTA member companies provide these comments in order to assist the Commission in achieving this goal and to protect citizens and businesses during PSPS events, which OCTA believes should always be a last resort. OCTA is also mindful that the rules must balance the costs and burdens on the electric utilities, their customers and the public in reaching those ends. As public safety partners, as defined by the Rules, OCTA’s members support the Temporary Wildfire Rules, albeit with minor – but important – modifications and additions.

¹ See Letter from Or. Pub. Util. Comm’n, Att. (Apr. 6, 2021) (“Temporary Wildfire Rules”).

² Letter from Or. Pub. Util. Comm’n at 1 (Apr. 6, 2021).

The intent of the Temporary Wildfire Rules is “to better protect customers and communities and coordinate with partners during 2021 fire weather,”³ and OCTA seeks to aid in this effort through these comments and proposed modifications. As described more fully below, there is a need for clear and advance notification to communications providers, including OCTA member companies, of PSPS events. In addition, it will be important for the Commission and the public to assess the reasonableness of each PSPS event to ensure that such measures are used as a last-resort fire mitigation method. The Temporary Wildfire Rules present a solid starting point in addressing these and other needs. By adopting OCTA’s recommendations and proposed modifications to the Rules, the Commission will facilitate an effective set of temporary PSPS protocols that will benefit all stakeholders.

COMMENTS REGARDING PROPOSED TEMPORARY WILDFIRE RULES

1. The Commission Should Modify the Notification and Coordination Requirements and Procedures to Ensure IOUs Coordinate with, and Send Priority Notifications to, Public Safety Partners.

OCTA supports the PSPS event notification requirements and procedures proposed by Staff in the Temporary Wildfire Rules. Receiving clear information in real time prior to, during, and after any PSPS and re-energization event is critical for communications providers and other public safety partners that must implement their own contingency plans or procedures in advance of an impending power shut-off. Because communications providers are dependent on commercial power provided by IOUs, the notifications required by the proposed Temporary Wildfire Rules, including those prior to and at the initiation of the event, during the event, and upon re-energization, will be critical to minimizing the negative effects of such events on their networks,

³ *Id.*

including allowing communications service providers to restore service more quickly after investor-owned utilities (“IOUs”) re-energize their networks.

It appears that Staff intended for the proposed notification requirements and procedures to extend to communications providers, but OCTA requests that the Rules be further clarified to ensure that IOUs are explicitly required to send priority notifications to OCTA’s members in their roles as “public safety partners.” For example, as currently written, the following provisions fail to explicitly reference “public safety partners”:

- Under Subsection (1)(a) of the “Requirement to Notify,” IOUs are required to develop contact information for public safety partners, but they are required to do so “in partnership with local jurisdictions and other emergency partners.”⁴ The term “emergency partners” should either be replaced with the defined term “public safety partners,” or the subsection should be modified to expressly include public safety partners. Either change would ensure that IOUs are obtaining a public safety partner’s contact information directly from that entity, rather than through a third party, which may introduce inaccuracies.
- Under Subsection 1(a) of the provision entitled “Required Information in Notifications in Advance of and Directly Preceding a De-Energization Event,” the Rules should require IOUs to provide public safety partners with Geographic Information System (“GIS”) data. Currently, Subsection 1(a) only requires IOUs to provide this information to “local jurisdictions.”⁵

For the sake of consistency, and to ensure that IOUs coordinate with all public safety partners, including OCTA’s members, and that these entities receive notifications of PSPS and re-

⁴ See Temporary Wildfire Rules at 4.

⁵ See *id.* at 5.

energization events, OCTA proposes that these provisions be modified to explicitly include public safety partners.⁶

2. The Commission Should Increase the Level of Detail Provided in Notifications to Ensure Public Safety Partners Are Adequately Informed of PSPS Events.

To minimize impact of PSPS events, it is critical that Public Safety Partners, including, communications providers, receive advance notice of PSPS events that is as geographically precise as possible. While communications networks are dependent on commercial power to operate and are subject to service interruptions during a power outage, advance notice can help mitigate interruptions in service to some extent, and geographically specific information is essential for OCTA's members to identify which of their equipment and facilities are located in the area that will be affected by the PSPS event. OCTA thus supports the Temporary Wildfire Rules' requirement that IOUs provide public safety partners with GIS shapefiles depicting the boundaries of the area subject to de-energization.⁷

However, receiving only GIS shapefiles of potentially affected service territories will not provide OCTA's members with the level of detail they need to properly discern the impact of PSPS events. Accordingly, the Temporary Wildfire Rules should be amended to require the GIS shapefiles to also include the meters and circuit IDs that will be impacted by the PSPS event, and that the meters and circuits include geographic identifiers. This will allow communications

⁶ Consistent with OCTA's desire to ensure all communications providers, including OCTA member companies, are part of the coordination and notification policies implemented by the Commission, OCTA also proposes making minor modifications to the provision entitled "Procedure for Notification" to ensure all affected IOU customers, including communications providers, receive every notification required by that provision and to make IOUs always provide affected customers with notice of an impending PSPS event within 1-4 hours of the event's occurrence.

⁷ *See id.* at 6.

providers to overlay their facilities on the GIS shapefiles and identify the specific location of the providers' field equipment served by the identified circuits.

Moreover, the Temporary Wildfire Rules should be modified to make clear that, where an IOU's specified PSPS area – whether it is circuit-specific or defined otherwise – is modified or changed for whatever reason before or during the event, the IOU must update its PSPS area and share revised GIS shapefiles with public safety partners.

3. The Commission Should Encourage the IOUs to Establish Data Transfer Portals to Ensure PSPS Information, Notifications, and Updates are Timely Relayed to Public Safety Partners.

While the Temporary Wildfire Rules require IOUs to make the GIS shapefiles available via a “secure data transfer process,” the Rules do not otherwise specify the means by which the shapefiles and other PSPS event information should be communicated to public safety partners or how IOUs should go about developing a secure data transfer process to ensure these transmissions occur. Given the importance of the accuracy of this information from the IOUs in helping identify impacted areas to Public Safety Partners, the Commission should encourage the IOUs to work with public safety partners to establish a more direct, concrete, and secure means by which public safety partners can obtain up-to-date information from the IOUs, such as secure data transfer portals.


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CONCLUSION

OCTA reiterates that PSPS events should only be initiated as a last resort. To the extent IOUs do de-energize, it is important they coordinate with and provide detailed notice to public safety partners in a timely and secure manner, in order to better protect and prepare local safety personnel and the public for future wildfire and PSPS events. OCTA looks forward to participating in future workshops and proceedings to help the Commission to achieve its goal of protecting Oregonians while also ensuring that the new costs and burdens imposed on IOUs are sensible and justified to achieve that goal.

Respectfully submitted this 3rd day of May 2021.

OREGON CABLE TELECOMMUNICATIONS ASSOCIATION

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APPENDIX A

OCTA PROPOSED MODIFICATIONS AND ADDITIONS TO TEMPORARY WILDFIRE RULES

860-XXX-XXXX

Requirement to Notify

- (1) The electric investor-owned utilities must:
 - (a) in partnership with local jurisdictions and other **emergency public safety** partners, develop and maintain comprehensive contact information for public safety partners, critical infrastructure facilities and other critical facilities systems dependent on electric power.

860-XXX-XXXX

Procedure for Notification

- (1) Every effort must be made by the electric investor-owned utilities to provide notice of potential de-energization as early as the electric investor-owned utilities reasonably believe de-energization is likely. In addition, the electric investor-owned utilities must provide notice when a decision to de-energize is made, at the beginning of a de-energization event, when re-energization begins and when re-energization is complete. The electric investor-owned utilities should, whenever possible, adhere to the following minimum notification timeline:
 - (a) 48-72 hours in advance of anticipated de-energization: notification of public safety partners/priority notification entities;
 - (b) 24-48 hours in advance of anticipated de-energization: notification of all **other** affected customers/populations;
 - (c) 1-4 hours in advance of anticipated de-energization, **if possible**: notification of all other affected customers/populations;
 - (d) When de-energization is initiated: notification of all other affected customers/populations;
 - (e) Immediately before re-energization begins: notification of all other affected customers/populations;
 - (f) When re-energization is complete: notification of all other affected customers/populations.

860-XXX-XXXX

Required Information in Notifications in Advance of and Directly Preceding a De-Energization Event

- (1)(a) To aid in preparation, the electric investor-owned utilities must provide, if requested, relevant geographic information system data, including identification of critical facilities and circuits, and number of medical baseline customers that have registered with the utility to local jurisdictions **and public safety partners** in advance of wildfire season. In addition, the utilities must provide, if requested, operational coordination with public safety partners to ensure such partners have not only the information but also the coordination with the utilities necessary to prepare for de-energization.

(2)(a) For the 2021 wildfire season, the electric investor-owned utilities must, at the time of first notification preceding a de-energization event, make available a Geographic Information system shapefile via a secure data transfer process depicting the most accurate and specific information possible regarding the boundaries of the area subject to de-energization **and identifying all meter and circuit IDs to be de-energized and re-energized** to all public safety partners whose jurisdictions or service areas will be impacted by the de-energization event, including adjacent jurisdictions or service areas that could lose power as a result of de-energization in a high fire threat district.

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