



# Oregon

Kate Brown, Governor

**Department of State Police**  
Office of State Fire Marshal  
3565 Trelstad Ave SE  
Salem, OR 97317-9614  
(503) 934-8276  
FAX (503) 934-8372  
[www.oregon.gov/OSP/SFM](http://www.oregon.gov/OSP/SFM)

May 3, 2021

To: Oregon Public Utilities Commission  
From: Kristin Schafer, OSFM Legislative Coordinator  
Re: Public Safety Power Shut-offs

*Premier Public Safety Services*

The Office of State Fire Marshal (OSFM) appreciates this opportunity to provide initial comments on the temporary rules in the wildfire protection plan rulemaking (AR 638) regarding Public Safety Power Shut-offs. We have reviewed your draft temporary rules and would like to share our feedback hoping the information will help clarify and strengthen portions of the rules. With our understanding of the temporary rules, we have three main points of concern:

- Oregon needs one lead agency for the important planning, prevention, and coordination of efforts. PUC ESF12 should be the lead agency.
- The Oregon Emergency Response System (OERS) should serve as the central notification of all state agencies rather than notification to 3 agencies. All OERS Council agencies serve a role in response and must be notified as part of a response system.
- Local County Emergency Managers should be called out specifically for notifications, plans, etc.

We recognize that your timeline requires a fast turnaround. We have provided our concerns under each section and, where possible, have given solutions. Our office would like to partner with PUC and collaborate on these draft rules. By working in partnership with PUC, our agency can assist in informing the outcome of future permanent rules.

Again, thank you for allowing us to comment on a preliminary version of these draft temporary rules.

## Definitions for Public Safety Power Shutoff

(4) "Public Safety Partners" refers to first/emergency responders at the local, state, and federal level, water, wastewater, and communication service providers, energy providers (electricity, natural gas, fuels) County Emergency Managers, Office of Emergency Management, Oregon Department of Forestry, Oregon State Fire Marshal, and the Commission.

**Concerns:** This definition is used throughout the rules with respect to the state agencies, it lacks notification of the other state agencies (ESFs) that play an essential and critical role in response, such as Oregon State Police, Oregon Dept. of Transportation, Dept. of Administrative Services –Comms.

**Solutions:** Include the OERS Council agencies and use the OERS notification system to notify these agencies to ensure all response systems are notified.

## Requirements to Notify

IOUs must develop a comprehensive contact information list for public safety partners.

IOUs must, whenever possible, provide advance and priority notification to public safety partners.

**Concerns:** Agencies that need to be made aware of notifications are being unintentionally excluded as they are not included in the notifications, therefore leaving a gap in notifications.

**Solutions:** Immediate notification to the OERS notification system will be an all-inclusive notification to all partners.

## Procedure for Notification

48-72 hours in advance of anticipated power shutoff, IOUs will notify public safety partners

IOUs must work toward integrating into and leveraging existing outreach and notification systems wherever possible, rather than creating duplicative and potentially conflicting systems to those employed by local jurisdictions/emergency/first responders.

**Concerns:** Lack of notification to all involved partners due to the concern outlined in "requirements to notify."

**Solutions:** Changing the definition of "public safety partners" to "OERS Council" will solve the concern associated with the missing OERS partners.

### **Required Information in Notifications in Advance of and Directly preceding a De-Energization Event**

IOUs 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

**Concerns:** As outlined above, the missing notification to all involved partners will create gaps in coordination.

**Solutions:** Changing the definition of "public safety partners" will solve the concerns of lack of notification to need partners.

In consultation with Commission, OEM, ODF, and OSFM, IOUs ensure the development and execution of a statewide Public Safety Power Shut-off education campaign and measure the effectiveness of education and outreach efforts.

**Concerns:** There is no lead agency to ensure a unified voice for the educational campaign. ESF4 funding for wildfire prevention, however anything specific to utilities should be assigned a lead agency.

**Solutions:** PUC should be the lead agency to ensure coordinated success. Also, a **fiscal** may be needed for state agencies.

IOUs must convey to public safety partners at the time of first notification preceding a de-energization event, information regarding the upcoming de-energization, including estimated start time of the event, estimated duration of the event, and estimated time to complete restoration and make a GIS shapefile available.

### **Identification of Customer Groups**

The IOUs must work with local and county officials to identify appropriate emergency/first responder points of contact.

**Concerns:** Ensure collaboration with the Fire Defense Board Chief, this is the chief who is responsible for mutual aid, response and coordination with the county or counties

The IOUs must, in addition to developing their own list of critical facilities and critical infrastructure based on the adopted definition, work in coordination with first/emergency responders and local governments to identify critical facilities within the IOUs service territories

**Concerns:** Relying on first/emergency responders instead of emergency planners to identify critical infrastructures and facilities would create a minimal scope of what is considered critical.

**Solutions:** Utilize OEM and their Raptor Software in coordination with local county managers/planners and Local Emergency Planning Commissions to identify critical facilities and infrastructures.

### **Coordination with Public Safety Partners Before and During a De-Energization Event**

The IOUs will be responsible for contacting local public safety officials in impacted jurisdictions before and during a de-energization event.

The IOUs must work with public safety partners to disseminate all information in formats and through processes that public safety partners use during other emergencies.

The IOUs must partner with local and state public safety partners to develop notification strategies for all customer groups that comport with the best practices.

IOUs must continually improve communication and outreach effectiveness by partnering with local jurisdictions, the Commission, OEM, ODF, and OSFM to develop a comprehensive, coordinated, and cohesive notification framework.

**Concern:** The OSFM does not have a notification system, and there is no defined lead agency on the notification framework.

**Solutions:** PUC to be the lead agency using the existing response framework that is already in place with OERS.

### **Coordination with Emergency Response Centers and Incident Command Systems**

If requested by the local jurisdiction, the electric investor-owned utilities should endeavor to embed a liaison officer at the local emergency operation center.

**Concern:** The Liaison Officer would be best placed and trained to engage with the Incident Management Team at the time of the incident to ensure the appropriate flow of information and management of concerns.

**Solution:** Consideration that the IOU Liaison receives ICS training so that they can understand the process of the IMT meetings. Additionally, Liaison Officers should attend IMT Cooperator meetings at the onset of and throughout the incident.

### **Request to Delay De-Energization**

The electric investor-owned utilities should address requests for a de-energization delay on a case-by-case basis when requests are made from public safety partners. The electric investor-owned utilities retain ultimate authority to grant a delay and responsibility to determine how a delay in de-energization impacts public safety.

**Concern:** There is a risk in how decisions would be made from individual public safety partners for a request to delay that would be made in a silo, losing sight of the overarching goal due to lack of collaboration.

**Solutions:** The local county emergency managers should be part of the decision to ensure all components of response and planning are considered prior to a delay being granted.

## De-Energization of Transmission Lines

The electric investor-owned utilities must design interim protocols for the de-energization of transmission lines based on populations' impacts across affected jurisdictions. The utility must solicit input from stakeholders in developing these protocols.

**Concern:** The definition of stakeholders has not been identified and could cause confusion unless it's defined.

**Solution:** Add a definition for stakeholders.

In the event of transmission line de-energization, additional coordination may be required with the Oregon Office of Emergency Management via the Commission's ESF-12 liaison, the Oregon Department of Forestry, the **Oregon State Fire Marshall**, local jurisdictional public safety partners, and other impacted partners.

**Concern:** This provides a potential for limited coordination if only using the agencies identified and doesn't allow for all partners to know their role. Fire Marshal has one L.

**Solutions:** Consider using existing OERS notification system as the primary point of contact and local emergency managers, tribal nations and state response agencies.

## Reporting Requirements

(2) In addition to de-energization reports, the electric investor-owned utilities are required to file reports on de-energization lessons learned no later than December 31, 2021. The reports must include a **copy of all educational campaigns** and outreach made in advance of the 2021 wildfire season and evaluate their effectiveness.

**Concern:** Is this intended for the educational plan from all" public safety partners." This may be difficult to coordinate and ineffective to gather.

**Solutions:** PUC to be lead in efforts to ensure connectedness and a single point of responsibility in reporting, notification etc.

The Office appreciates the opportunity to provide comment. We look forward to being a partner as the commission moves forward with permanent rulemaking in the future.