

November 19, 2021
Filing Center
Oregon Public Utility Commission of Oregon
201 High Street SE, Suite 100
P.O. Box 1088
Salem, OR 97301

Via Electronic Filing

Re: Docket AR 648/638 - Wildfire Mitigation Rulemaking, Draft Rules

Attention: Filing Center

We appreciate the opportunity to submit these comments concerning the Public Utility Commission of Oregon's (OPUC) draft rules for AR 648/638. We have not been able to many any workshops but have tried to keep up with the material. To that end we offer the following comments and hope to be able to participate more robustly as the process continues.

We open with a general question than refer to specific sections with our comment after the section cited.

How will wildfire plans be developed for transmission lines, built or proposed to be built, owned by multiple utilities that are not wholly in their service territories or not in their service territories at all, be handled? Think Boardman to Hemingway. The transmission line will be in two counties in Idaho Powers, an owner, service territory, in 3 counties in COU's service territory, not owners, and we believe none in PacifiCorp's service territory, an owner.

Draft Rule Section

860-024-0001 Definitions for Safety Standards

(4) "High Risk Fire Zones" are geographic areas identified by **Operators** of electric facilities in their risk-based wildfire plans.

(5) "**Operator**" means every person as defined in ORS 756.010, public utility as defined in 757.005, electricity service supplier as defined in OAR 860-038-0005, telecommunications utility as defined in ORS 759.005, telecommunications carrier as defined in 759.400, telecommunications provider as defined in OAR 860-032-0001, consumer-owned utility as defined in ORS 757.270, cable operator as defined in 30.192, association, cooperative, or **government entity and their agents, lessees, or acting trustees or receivers**, appointed by court, engaged in the management, operation, ownership, or control of any facility within Oregon.

Comment

Given the scope of SB 762 the definition of operator could and should be better formed. The fact that the State Board of Forestry, State Fire Marshal, Department of Land Conservation and Development, and other agencies are also developing definitions, maps, and resources to identify and define high risk fire zones their exclusion seems unwise.

The term operator is used often in this document and this definition could create issues. We would suggest a boarder more inclusive group of "operators" to define high risk fire zones. Or we suggest defining another class of entities that will be charged with working with these operators to develop these plans, maps, resources, and other sections that refer to operator later in this rule.

860-024-0005 Maps and Records

(3) Operators of electric facilities in High Fire Risk Zones shall provide its most current High Fire Risk Zone maps by April 1st of each year in a form satisfactory to the Safety Staff.

Comment

According to SB 762 the development of this map has been designated to several state agencies which make this wording inaccurate. Similar suggestion to operator above.

860-024-0012 Prioritization of Repairs by Operators of Electric Supply Facilities and Operators of Communication Facilities

(1) A violation of the Commission Safety Rules that poses an **imminent danger** to life or property must be repaired, disconnected, or isolated by the operator **immediately after discovery**.

(4) The exception in subsection (3) expires on 12/31/2027.

Comment

Clearer definitions of **imminent danger** and **immediately after discovery** would be appreciated.

We do not see the exception referred to in (4)?

860-024-0016 Minimum Vegetation Clearance Requirements

(5) Under reasonably anticipated operational conditions, including adverse weather and wind conditions, an operator Operator of electric supply facilities must maintain the following minimum clearances of vegetation from conductors:

(a) Ten feet for conductors energized above 200,000 volts.

(b) Seven and one-half feet for conductors energized at 50,001 through 200,000 volts.

(c) Five feet for conductors energized at 600 through 50,000 volts.

Comment

In general we feel that these distances are not enough and not all voltages are covered, especially for high voltage long distance transmission lines that have 200 to 500 foot rights of way. The [NERC standards, May 2015](#), talk about lines up to 765 kV and heights above sea level to determine clearance distances. Not being able to be at the workshops we do not know how or if this was covered. Speaking for those that live in high risk wildfire zones and having concerns about flashovers, which have a 82 foot fire fighting safety zone. Therefore, the greater the distance the better the safety factor. See [Fire and high voltage transmission line safety](#) for more detailed information.

860-024-0018 High Fire Risk Zone Safety Standards

(6) Beginning on 12/31/2027, at the discretion of the pole owner, Consumer Owned Utility Pole Owners and Occupants in High Fire Risk Zones will implement detailed inspection cycle alignment to identify violations of Commission Safety Rules and mitigate fire risk.

Comment

Living in a high risk fire zone with a COU as our energy provider they need to come under the same standards of the IOU's and other utilities. We cannot wait till 2027 to ensure the safety of the area served by COU's.

Thank you



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