

March 11, 2022

***VIA ELECTRONIC FILING***

Public Utility Commission of Oregon  
Attention: Filing Center  
201 High Street SE, Suite 100  
Salem, OR 97308-1088

**RE: AR 638 – Risk-Based Wildfire Protection Plan Proposed Public Safety Power Shutoff (“PSPS”) Rules**

Portland General Electric Company (“PGE”), PacifiCorp d/b/a Pacific Power (“PacifiCorp”), and Idaho Power Company (“Idaho Power”) (collectively referred to as the “Joint Utilities”) appreciate the Public Utility Commission of Oregon (“Commission”) providing the opportunity to continue discussion on the draft wildfire mitigation rules proposed by Commission Staff (“Staff”) in their Public Meeting Memo and discussed during the January 18, 2022 Special Public Meeting for AR 638.

In response to the bifurcation and acceleration of Oregon Administrative Rule (“OAR”) 860-300-006, OAR 860-300-0007, and OAR 860-300-0008 (collectively, “PSPS Rules”), the Joint Utilities respectfully submit Attachment A. Attachment A includes the Joint Utilities’ proposed edits to Staff’s proposed PSPS Rules (in redline/strikeout format).

The Joint Utilities appreciate Staff’s efforts to bring order to the administrative process around PSPS communications and protocols and are proposing only minor edits at this time to call attention to particular portions of the rule that require clarity. The Joint Utilities look forward to discussing these issues further in future workshops.

**I. Recommendations to Proposed OAR 860-300-0006**

The Joint Utilities recommend removing the term “email” from the proposed list in OAR 860-300-0006(2)(a)(A) as email is not considered a media platform and is already addressed in the proposed language under OAR 860-300-0006(2)(b) that covers customer communications. Additionally, the Joint Utilities also propose changing “including” to “such as” to allow PSPS notifications to be scalable, recognize the size of the impacted area, target the appropriate audience, and avoid potential miscommunications that may occur with smaller sized events.

As learned through the rulemaking process, the Oregon Department of Human Services will be taking the lead as the official outreach organization to the general population, including non-electrical utility customers, during all types of emergencies, including PSPS events. The Joint Utilities recommend removing “and other populations” as proposed under OAR 860-300-0006(3)(b) and OAR 860-300-0006(3)(c), as it appears to be a carry-over from previous drafts.

The Joint Utilities also recommend edits to proposed OAR 860-300-0007(4), specifically the language related to “real time” actions. Is the expectation that the Public Utility would provide instantaneous updates that convert to mapped information on multiple platforms simultaneously? As an alternative, the utilities propose coordinating with Public Safety Partners ahead of fire season to prepare for information exchanges, understand commonly used GIS platforms, and minimize any incompatibility issues that may arise. The Joint Utilities proposed edits in Attachment A reflect this approach.

## II. Recommendations to Proposed OAR 860-300-0007

In addition, the Joint Utilities recommend removing OAR 860-300-0007(5) from the proposed rule. Requirements specific to utility Wildfire Mitigation Plans should be contained in one section of the rules—currently OAR 860-300-0002.

The Joint Utilities reiterate our commitment to wildfire mitigation efforts that protect the safety of the public, increase our systems’ resiliency to wildfire damage, and reduce the risk of utility facilities causing a wildfire. This is important work, and we recognize electric utilities are one of the many critical partners needed for the state to be successful in its pursuit of holistic and effective wildfire risk mitigation efforts.

Sincerely,

*/s/ Amy McCluskey*

Amy McCluskey  
Managing Director, Wildfire Safety & Asset Management  
Pacific Power

*/s/ Alison Williams*

Alison Williams  
Regulatory Policy & Strategy Advisor  
Idaho Power

*/s/ William M. Messner*

William M. Messner, Esq.  
Director, Wildfire Mitigation & Resiliency  
Portland General Electric

## Attachment A: Joint Utility Proposed Changes to PSPS rules

### Division 300

#### 860-300-0006

#### Communications Requirements Prior, During, and After a Public Safety Power Shutoff

(1) When a Public Utility determines that a PSPS is likely to occur, it must deliver notification of the PSPS to its Public Safety Partners, operators of utility-identified critical facilities, and adjacent local Public Safety Partners.

(a) To the extent practicable, the Public Utility must provide priority notification directly to Public Safety Partners, operators of utility-identified critical facilities, and adjacent local Public Safety Partners.

(b) In notifying Public Safety Partners and utility-identified critical facilities of PSPS events, including adjacent local Public Safety Partners, the utility will communicate the following information, at a minimum:

(A) The PSPS zone, which would include Geographic Information System shapefile(s) depicting current boundaries of the area subject to de-energization;

(B) ~~Date~~Estimated date and time PSPS will be executed;

(C) Estimated duration of PSPS;

(D) Number of customers impacted by PSPS;

(E) When feasible, the Public Utility will support Local Emergency Management efforts to send out emergency alerts;

(F) At a minimum, status updates at 24-hour intervals until service has been restored;

(G) Notice of when re-energization begins and when re-energization is complete;

(H) Information provided under this rule does not preclude the Public Utility from providing additional information about execution of the PSPS to its Public Safety Partners;

(c) In notifying utility-identified critical facilities, the Public Utility will communicate the following information, at a minimum:

(A) ~~Date~~Estimated date and time PSPS will be executed;

(B) Estimated duration of PSPS;

(C) At a minimum, status updates at 24-hour intervals until service has been restored;

(D) Notice of when re-energization begins and when re-energization is complete.

(E) In addition to the above requirements, utilities will also provide Geographical Information Files with as much specificity as possible to Operators of telecommunication facilities in the area of the anticipated PSPS.

(d) ESF-12 will notify Oregon Emergency Response System (OERS) partners and Local Emergency Management in coordination with Oregon's Office of Emergency Management.

(2) When a Public Utility determines that a PSPS is likely to occur, the Public Utility must provide

advance notice of the PSPS to customers via a PSPS web-based interface on the Public Utility's website and other media platforms, and may communicate PSPS information directly with customers consistent with 860-300-0006(b).

(a) In providing notice to customers about a PSPS, the Public Utility will, at a minimum:

(A) Utilize multiple media platforms to maximize customer outreach, including such as but not limited to, social media, ~~e-mail~~, radio, television, and press releases.

(B) Consider the geographic and cultural demographics of affected areas, including but not limited to broadband access, languages prevalent within the utility's service territories, considerations for those who are vision or hearing impaired.

(C) Display on its website homepage a prominent link to access current information about the PSPS, consistent with OAR 860-300-0007, including a depiction of the boundary. The PSPS information must be easily readable and accessible from mobile devices.

(b) The Public Utility may directly notify its customers through email communication or telephonic notification (e.g., text messaging and phone calls) when it will not impede Local Emergency Management alerts due to capacity limitations. If the Public Utility provides direct notification, the Public Utility will communicate the following information, at a minimum:

(A) A statement of impending PSPS execution, including an explanation of what a PSPS is and the risks that the PSPS would be mitigating;

(B) Date Estimated date and time PSPS will be executed;

(C) Estimated duration of PSPS;

(D) A 24-hour means of contact customers may use to ask questions or seek information;

(E) How to access details about the PSPS via the Public Utility's website, including education and outreach materials disseminated in advance of the annual wildfire season;

(F) After initial notification, the Public Utility will provide, at a minimum, status updates at 24-hour intervals until service has been restored;

(G) Notice of when re-energization begins and when re-energization is complete.

(3) To the extent possible, the Public Utility will adhere to the following minimum notification prioritization and timeline in advance of a PSPS:

(a) 48-72 hours in advance of anticipated de-energization, priority notification to Public Safety Partners, operators of utility-identified critical facilities, and adjacent local Public Safety Partners;

(b) 24-48 hours in advance of anticipated de-energization, when safe: secondary notification to all other affected customers ~~and other populations~~;

(c) 1-4 hours in advance of anticipated de-energization, if possible: notification to all affected customers ~~and other populations.~~

(4) The Public Utility's communications required under this rule do not replace emergency alerts initiated by local emergency response.

(5) Nothing in this rule prohibits the Public Utility from providing additional information about execution of the PSPS to Public Safety Partners, utility-identified critical facilities, or customers.

**Statutory/Other Authority: Statutes/Other Implemented:**

**860-300-0007**

**Ongoing Informational Requirements for Public Safety Power Shutoffs**

(1) The Public Utility will create a web-based interface that includes real-time, dynamic information on location, de-energization duration estimates, and re-energization estimates. The web-based interface will be hosted on the Public Utility's website and must be accessible during a PSPS event. The Public Utility will complete the web-based interface before March 31, 2024.

(2) The Public Utility will make its considerations when evaluating the likelihood of a PSPS publicly available on its website. These considerations include, but are not limited to: strong wind events, other current weather conditions, primary triggers in high risk zones that could cause a fire, and any other elements that define an extreme fire hazard evaluated by the Public Utility.

(3) The Public Utility will ensure that its website has the bandwidth capable of handling reasonable webtraffic surges in the event of a Public Safety Power Shutoff.

(4) The Public Utility will work to provide ~~real time~~ geographic information pertaining to PSPS outages as quickly as feasible compatible with ~~Public Safety Partner~~ commonly used GIS platforms.

~~(5) The Public Utility will provide a comprehensive narrative of each subsection of this rule as part of its annual Wildfire Mitigation Plan.~~

**Statutory/Other Authority: Statutes/Other Implemented:**

**860-300-0008**

**Reporting Requirements for Public Safety Power Shutoffs**

(1) The Public Utility is required to file annual reports on de-energization lessons learned, providing a narrative description of all PSPS events which occurred during the fire season. Reports must be filed no later than December 31<sup>st</sup> of each year.

(2) Non-confidential versions of the reports required under this section must also be made available on the Public Utility's website.

**Statutory/Other Authority: Statutes/Other Implemented:**