

April 21, 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 Remainder of Rules in Division 300

Dear Filing Center,

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 January 11, 2022 Staff Report and discussed during the January 18, 2022 Special Public Meeting for AR 638 and the April 7, 2022 Commission Workshop.

AR 638 was bifurcated in early 2022 to establish an accelerated track for Public Safety Power Shutoff Rules (“PSPS”) and create a secondary, extended track to establish permanent rules related the other wildfire mitigation requirements (referred to as the “remainder of rules”).

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 submitted written comments and redlines on these PSPS Rules on March 11, 2022, and April 7, 2022. These proposed rules and recommended edits were discussed at the AR 638 Phase II (Division 300 Rules – PSPS) Rulemaking Hearing on April 7, 2022.

As part of the non-accelerated AR 638 rulemaking track, the Joint Utilities and other parties filed comments and proposed edits on March 25, 2022, to address the proposed permanent remainder of rules under Division 24 as first drafted by Commission Staff and subsequently modified by the Administrative Hearings Division (“AHD”) on March 11, 2022. These proposed rules and recommendations were discussed at the AR 638 AHD-led Commission Workshop on April 7, 2022.

Now, the Joint Utilities respectfully submit written comments regarding Staff’s proposed rules in Division 300 not previously included in the PSPS Rules, specifically

OAR 860-300-0001, OAR 860-300-0002, OAR 860-300-0003, OAR 860-300-0004, OAR 860-300-0005, OAR 860-300-0009, and OAR 860-300-00010.

These comments are provided below and in Attachment A, which includes the Joint Utilities' proposed edits to the remainder of Staff's proposed rules in Division 300 not previously included in the PSPS Rules (in redline/legislative format).

I. Recommendations to Proposed OAR 860-300-0003

The Joint Utilities identified a potential typographical error in 860-300-0003(1)(e) and recommend deleting the second "in."

The Joint Utilities identified a potential artifact of previous drafts or the interim rules in 860-300-0003(2). The Joint Utilities suggest deleting the requirement to file an initial Wildfire Mitigation Plan in 2021 as this has already occurred. The Joint Utilities propose setting an annual update requirement to begin this year – in December of 2022 – and no later than December 31 each year.

The Joint Utilities see the term "standards" show up in multiple ways in the Senate Bill 762 legislation. Assuming that "standards" as it appears in 860-300-0003(3) refers to standards that would be adopted by the Commission through rules, the Joint Utilities propose augmenting 860-300-0003(3) to include "standards adopted by rule" for clarity.

II. Recommendations to Proposed OAR 860-300-0004

The Joint Utilities believe that climate is dynamic and not static. Therefore, the Joint Utilities recommend editing 860-300-0004(1)(a)(A) to remove the reference to "climate" when describing baseline wildfire risk.

In 860-300-0004(1)(a)(B), the Joint Utilities recommend replacing "remain fixed for multiple months" with "be dynamic." The Joint Utilities interpret that the goal of this subject is to highlight that some types of factors can impact risk in a dynamic way throughout the year and utilities should be poised to monitor this type of risk to inform operational decision making. The proposed edits make room for the many ways that these risk factors could change, which could be more or less frequent than over the span of a few months. The proposed edits also more clearly distinguish 860-300-0004(1)(a)(B) from 860-300-0004(1)(a)(A), which is meant to describe fixed risk.

III. Recommendations to Proposed OAR 860-300-0005

The Joint Utilities appreciate the focus on customer, community, and safety partner engagement included in 860-300-0005. This outreach is a critical component of the safe and effective implementation of any Wildfire Mitigation Plan, keeping in mind that not all of Oregon is impacted in the same way by wildfire risk or utility Wildfire Mitigation Plans. The Joint Utilities operate systems across a wide range of environments and locations, that span both high risk areas and low risk areas. As drafted, OAR 860-300-0005 takes a broad-brush approach to

outreach, and while the utilities appreciate the benefits that come from general community awareness and planning, the Joint Utilities recommend adding “impacted by the Wildfire Mitigation Plan” to OAR 860-300-0005(1) to ensure engagement efforts prioritize and focus in on the communities we serve with wildfire risk.

Beginning in 860-300-0005(2), the Joint Utilities recommend replacing “Wildfire Education and Awareness Strategy” with “community outreach and awareness efforts.” This proposed change aligns with the language in Senate Bill 762 Section 3(2)(h), creating a simple and direct link to the legislative requirement for the plan elements. This proposed edit carries through to 860-300-0005(3) for consistency in the term replacement.

The Joint Utilities value the specific requirement of the Education and Awareness Strategy included in 860-300-0005(2). However, as drafted, the Joint Utilities are unclear with respect to “emergency kits/plans/checklists” and use of the terms “education” and “training” in parts (c) and (e). The Joint Utilities assume the intent is to require that utilities direct customers to where they might find such resources as opposed to providing physical emergency kits to customers or conducting formal classroom style education and training sessions. Therefore, the Joint Utilities propose replacing the terms “education” and “training” with “information” to provide clarity.

With respect to 860-300-0005(2)(f), the Joint Utilities interpret the requirement to mean that the Education and Awareness Strategy should include expectations around how frequent preparedness outreach will be performed by the utilities. For example, describing whether outreach will be performed annually on a precise schedule or throughout the fire season based on risk. Therefore, the Joint Utilities recommend deleting “and” for clarity.

The Joint Utilities embrace both education and awareness efforts with respect to customers. The Joint Utilities can make best efforts to assess engagement through surveys, click rates, or attendance at engagement sessions as described in 860-300-0005(1). Given the significant effort involved in developing “metrics used to track and report on” wildfire education, the Joint Utilities suggest replacing the term “reaching” with “targeting” in 860-300-0005(3) to establish metrics that measure the utility’s engagement efforts in reaching priority populations consistent with community engagement best practices.

IV. Recommendations to Proposed OAR 860-300-0009

The Joint Utilities appreciate the inclusion of 860-300-009 that states “[a]ll reasonable operating costs incurred by, and prudent investments made by, a Public Utility to develop, implement or operate a Wildfire Mitigation Plan are recoverable in the rates ...”. However, the Joint Utilities note that the proposed Section 300 rules do not include the entire language in SB 762 Section 3(8) on cost recovery. As proposed, 860-300-0009 does not provide any specificity on how these costs will be recovered. Reference to ORS 757.210 suggests that these incremental costs could be recovered through a new rate schedule that could include an automatic adjustment clause. The Joint Utilities recommend additional language that mirrors the legislation to clarify how the incremental costs may be recovered including the consideration that the Commission

direct each utility to submit an application for a new rate schedule (or other mechanism) to contemporaneously recover incremental costs needed to implement the new rules, subject to a prudence review. The Joint Utilities recommend that the entirety of Section 3(8) in SB 762 be included in 860-300-0009.

The full language of SB 762 Section 3(8) is:

(8) All reasonable operating costs incurred by, and prudent investments made by, a public utility to develop, implement or operate a wildfire protection plan under this section are recoverable in the rates of the public utility from all customers through a filing under ORS 757.210 to 757.220. The commission shall establish an automatic adjustment clause, as defined in ORS 757.210, or another method to allow timely recovery of the costs.

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. Additionally, the Joint Utilities are thankful for the opportunity to participate in this rulemaking effort and, specifically, the opportunity to comment on the remainder of proposed rules in Division 300 not included in the PSPS Rules and participate in the May 4 workshop in advance of the June 2, 2022, rulemaking hearing.

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

Attachment A: Joint Utility Proposed Changes to Remainder of Rules

Division 300 "Remainder of Rules"

860-300-0001

Scope and Applicability of Rules

(1) The rules in this division prescribe the filing requirements for risk-based Wildfire Mitigation Plans filed by an electric utility as defined by ORS 757.600.

(2) Upon request or its own motion, the Commission may waive any of the rules in this division for good cause shown. A request for waiver must be made in writing, unless otherwise allowed by the Commission.

Statutory/Other Authority:
Statutes/Other Implemented:

860-300-0002

Definitions for this Division

(1) "ESF-12" refers to Emergency Support Function-12 and indicates the Commission's role in supporting the State Office of Emergency Management for energy utilities issues during an emergency.

(2) "Local Community" means any community of people living, or having rights or interests, in a distinct geographical area.

(3) "Local Emergency Management" means city, county, and tribal emergency management entities.

(4) "Near-term Wildfire Risk" means elements of wildfire risk that are expected to fluctuate on a daily or weekly basis. Examples include temperature, humidity, and wind.

(5) "Public Utility" has the meaning given to an "electric company" in ORS 757.600.

(6) "Public Safety Partners" means ESF-12, Local Emergency Management, and Oregon Department of Human Services (ODHS).

(7) "Public Safety Power Shutoff" or "PSPS" means a proactive de-energization of a portion of a Public Utility's electrical network, based on the forecasting of and measurement of extreme wildfire weather conditions.

(8) "Tabletop Exercise" means an activity in which key personnel, assigned emergency management roles and responsibilities, are gathered to discuss, in a non-threatening environment, various simulated emergency situations.

(9) "Utility-identified Critical Facilities" refers to the facilities the Public Utility identifies that, because of their function or importance, have the potential to threaten life safety or disrupt essential socioeconomic activities if their services are interrupted.

(10) "Wildfire Mitigation Plan" is the same as a "wildfire protection plan" and refers to the document filed with the Commission relating to an electric utility's risk-based plan designed to protect public safety, reduce the risk of utility facilities causing wildfires, reduce risk to utility customers, and promote electric system resilience to wildfire damage.

Statutory/Other Authority:
Statutes/Other Implemented:

860-300-0003
Public Utility Wildfire Mitigation Plan Filing Requirements

(1) Wildfire Mitigation Plans and Updates must, at a minimum, contain the following requirements as set forth in SB 762, Section 3(2)(a)-(h) and as supplemented below:

(a) Identified areas that are subject to a heightened risk of wildfire and identified means of mitigating wildfire risk that reflects a reasonable balancing of mitigation costs with the resulting reduction of wildfire risk.

(b) Identified preventative actions and programs that the Public Utility will carry out to minimize the risk of utility facilities causing wildfire.

(c) Identified protocol for the de-energization of power lines and adjusting of power system operations to mitigate wildfires, promote the safety of the public and first responders and preserve health and communication infrastructure, including a PSPS communication strategy consistent with OAR 860-300-0005 through 860-300-0006.

(d) Description of procedures, standards and time frames that the Public Utility will use to inspect utility infrastructure in areas the Public Utility identified as heightened risk of wildfire, consistent with OAR 860-024-0018.

(e) Description of the procedures, standards and time frames that the Public Utility will use to carry out vegetation management in ~~in~~ areas the Public Utility identified as heightened risk of wildfire, consistent with OAR 860-024-~~0018~~0016.

(f) Identification of the development, implementation and administrative costs for the plan, which includes discussion of risk-based cost and benefit analysis, including consideration of technologies that offer co-benefits to the utility's system.

(g) Identification of the community outreach and public awareness efforts that the Public Utility will use before, during and after a wildfire season, consistent with OAR 860-300-0005 and OAR 860-300-0006.

(h) Description of participation in national and international forums, including workshops identified in SB ~~967762~~, Section 2, as well as research and analysis the Public Utility has undertaken to maintain expertise in leading edge technologies and operational practices, as well as how such technologies and operational practices have been used develop implement cost-effective wildfire mitigation solutions.

~~(2) A Public Utility's initial Wildfire Mitigation Plan must be filed no later than December 31, 2024.~~ (2) Wildfire Mitigation Plans must be updated annually and filed with the Commission ~~-, by December 31 of the preceding year for the subsequent year.~~

(3) Within 180 days of submission, Wildfire Mitigation Plans and Wildfire Mitigation Plan Updates may be approved or approved with conditions through a process identified by the

Commented [PC1]: Potential typographical error.

Commented [PC2]: Potential typographical error.

Commented [PC3]: The Joint Utilities identified a potential artifact of previous drafts or the interim rules in 860-300-0003(2). The Joint Utilities suggest deleting the requirement to file an initial Wildfire Mitigation Plan in 2021 as this has already occurred. The Joint Utilities propose setting an annual update requirement to begin this year – in December of 2022 – and no later than December 31 each year.

Commission in utility-specific proceedings, which may include retention of an Independent Evaluator (IE). For purposes of this section, “approved” means the Commission finds that the Wildfire Mitigation Plan or Update is based on reasonable and prudent practices including those the Public Utility identified through Commission workshops identified in SB 762, Section 2, and designed to meet all applicable ~~rules and standards adopted by rule the Commission.~~

(4) Approval of a Wildfire Mitigation Plan or Update does not establish a defense to any enforcement action for violation of a commission decision, order or rule or relieve a Public Utility from proactively managing wildfire risk, including by monitoring emerging practices and technologies.

Statutory/Other Authority:
Statutes/Other Implemented:

860-300-0004 Risk Analysis

(1) The Public Utility must include in its Wildfire Mitigation Plan risk analysis that describes wildfire risk within the Public Utility’s service territory and outside the service territory of the Public Utility but within the Public Utility’s right of way for generation and transmission assets. The risk analysis must include, at a minimum:

(a) Defined categories of overall wildfire risk and an adequate discussion of how the Public Utility categorizes wildfire risk. Categories of risk must include, at a minimum:

(A) Baseline wildfire risk, which include elements of wildfire risk that are expected to remain fixed for multiple years. Examples include topography, vegetation, and utility equipment in place, ~~and climate.~~

(B) Seasonal wildfire risk, which include elements of wildfire risk that are expected to ~~remain fixed for multiple months~~ be dynamic. Examples include cumulative precipitation and fuel moisture content.

(C) Risks to residential areas served by the Public Utility

(D) Risks to substation or powerline owned by the Public Utility

(b) a narrative description of how the Public Utility determines areas of heightened risk of wildfire using the most updated data it has available from reputable sources.

(c) a narrative description of all data sources the Public Utility uses to model topographical and meteorological components of its wildfire risk as well as any wildfire risk related to the Public Utility’s equipment.

(A) The Public Utility must make clear the frequency with which each source of data is updated.

(B) The Public Utility must make clear how it plans to keep its data sources as up to date as is practicable.

(d) The Public Utility’s risk analysis must include a narrative description of how the Public Utility’s wildfire risk models are used to make decisions concerning the following items:

(A) Public Safety Power Shutoffs

(B) Vegetation Management,

Commented [PC4]: The Joint Utilities see the term “standards” show up in multiple ways in the Senate Bill 762 legislation. Assuming that “standards” as it appears in 860-300-0003(3) refers to standards that would be adopted by the Commission through rules, the Joint Utilities propose augmenting 860-300-0003(3) to include “standards adopted by rule” for clarity.

Commented [PC5]: The Joint Utilities believe that climate is dynamic and not static. Therefore, the Joint Utilities recommend editing 860-300-0004(1)(a)(A) to remove the reference to “climate” when describing baseline wildfire risk.

Commented [PC6]: The Joint Utilities propose edits to make room for the many ways that these risk factors could change, which could be more or less frequent than over the span of a few months.

- (C) System Hardening,
- (D) Investment decisions, and
- (E) Operational decisions.

(e) For updated Wildfire Mitigation Plans, the Public Utility must include a narrative description of any changes to its baseline wildfire risk were made relative to the previous plan submitted by the utility, including the Public Utility's response to changes in baseline wildfire risk, seasonal wildfire risk, and Near-term Wildfire Risk.

(2) To the extent practicable, the Public Utility must confer with other state agencies when evaluating the risk analysis included in the Public Utility's Wildfire Mitigation Plan.

Statutory/Other Authority:
Statutes/Other Implemented:

860-300-0005 Wildfire Mitigation Plan Engagement Strategies

(1) The Public Utility must include in its Wildfire Mitigation Plan a Wildfire Mitigation Plan Engagement Strategy. The Wildfire Mitigation Plan Engagement Strategy will describe the utility's efforts to engage and collaborate with Public Safety partners and Local Communities impacted by the Wildfire Mitigation Plan in the preparation of the Wildfire Mitigation Plan and identification of related investments and activities. The Engagement Strategy must include, at a minimum:

Commented [PC7]: The Joint Utilities recommend adding "impacted by the Wildfire Mitigation Plan" to OAR 860-300-0005(1) to ensure engagement efforts prioritize and focus in on the communities we serve with wildfire risk

(a) Accessible forums for engagement and collaboration with Public Safety Partners, Local Communities, and customers in advance of filing the Wildfire Mitigation Plan. The Public Utility should provide, at minimum:

(A) One public information and input session hosted in each county or group of adjacent counties within reasonable geographic proximity and streamed virtually with access and functional needs considerations.

(B) One opportunity for engagement strategy participants to submit follow-up comments to the public information and input session.

(b) A description of how the Public Utility designed the Wildfire Mitigation Plan Engagement Strategy to be inclusive and accessible, including consideration of multiple languages and outreach to access and functional needs populations as identified with local Public Safety Partners.

(2) The Public Utility must include in its Wildfire Mitigation Plan a description of planned community outreach and awareness efforts. Wildfire Education and Awareness Strategy. The Education and Awareness Strategy~~The Education and Awareness Strategy~~The planned community outreach and awareness efforts must be developed in coordination with Public Safety Partners and informed by local needs and best practices to ~~educate and~~ inform communities inclusively about wildfire risk and preparation activities. ~~The Education and Awareness Strategy~~Planned community outreach public awareness efforts will include, at a minimum:

Commented [PC8]: Beginning in 860-300-0005(2), the Joint Utilities recommend replacing "Wildfire Education and Awareness Strategy" with "community outreach and awareness efforts" to create a direct link to the legislative requirement for the plan elements in Senate Bill 762.

Commented [PC9]: The Joint Utilities assume the intent is to require that utilities direct customers to where they might find such resources as opposed to providing physical emergency kits to customers or conducting formal classroom style education and training sessions. Therefore, the Joint Utilities propose replacing the terms "education" and "training" with "information" to provide clarity.

(a) Description of PSPS including why one would need to be executed, considerations

determining why one is required, and what to expect before, during, and after a PSPS.

(b) A description of the Public Utility's wildfire mitigation strategy.

(c) ~~Training Information~~ on emergency kits/plans/checklists.

(d) Public Utility contact and website information.

(e) ~~Education Information~~ and preparedness media platforms to inform the public.

(f) Frequency of preparedness ~~and outreach~~ to inform the public.

(g) Equity considerations in publication and accessibility, including, but not limited to:

(A) Multiple languages prevalent to the area.

(B) Multiple media platforms to ensure access to all members of a Local Community.

(3) The Public Utility must include in its Wildfire Mitigation Plan a description of metrics used to track and report on whether the Wildfire Mitigation Plan Engagement Strategy and ~~Wildfire Education and Awareness Strategy~~ ~~community outreach and public awareness efforts~~ are effectively and equitably ~~reaching~~ ~~targeting~~ Local Communities across the Public Utility's service area.

(4) The Public Utility must include a Public Safety Partner Coordination Strategy in its Wildfire Mitigation Plan. The Coordination Strategy will describe how the Public Utility will coordinate with Public Safety Partners before, during, and after the fire season and should be additive to minimum requirements specified in relevant Public Safety Power Shut Off requirements described in OAR 860-300-0006. The Coordination Strategy should include, at a minimum:

(a) Meeting frequency and location determined in collaboration with Public Safety Partners.

(b) Tabletop Exercise plan that includes topics and opportunities to participate.

(c) After action reporting plan for lessons learned in alignment with Public Safety Partner after action reporting timeline and processes.

Statutory/Other Authority:

Statutes/Other Implemented:

~~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,

Commented [PC10]: The Joint Utilities interpret the requirement to mean that the Education and Awareness Strategy should include expectations around how frequent preparedness outreach will be performed by the utilities. Therefore, the Joint Utilities recommend deleting "and" for clarity

Commented [PC11]: Given the significant effort involved in developing "metrics used to track and report on" wildfire education, the Joint Utilities suggest replacing the term "reaching" with "targeting" in 860-300-0005(3) to establish metrics that measure the utility's engagement efforts in reaching priority populations consistent with community engagement best practices.

Commented [PC12]: Included for reference. Section was subject of previous discussion under PSPS Rules.

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~~ the conditions prompting the PSPS have ended;

(G) Notice of when re-energization efforts will begins and when re-energization is complete expected to be 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~~ the conditions prompting the PSPS have ended;

(D) Notice of when re-energization efforts will begins and when re-energization is expected to be 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~~ Communication 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~~ the conditions prompting the PSPS have ended;

(G) Notice of when re-energization ~~begin~~ efforts will begin and when re-energization is expected to be 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

Commented [PC13]: Included for reference. Section was subject of previous discussion under PPS Rules.

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 31st 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:

860-300-0009 **Cost Recovery**

All reasonable operating costs incurred by, and prudent investments made by, a Public Utility to develop, implement or operate a Wildfire Mitigation Plan are recoverable in the rates of the Public Utility from all customers through a filing under ORS 757.210 to 757.220. The Commission shall establish an automatic adjustment clause, as defined in ORS 757.210, or another method to allow timely recovery of the costs.

Statutory/Other Authority:
Statutes/Other Implemented:

OAR 860-300-0010 **Consumer-owned Utility Plans**

Commented [PC14]: Included for reference. Section was subject of previous discussion under PSPS Rules.

Commented [PC15]: The Joint Utilities recommend that the entirety of Section 3(8) in SB 762 be included in 860-300-0009.

Municipal electric utilities, people's utility districts organized under ORS chapter 261 that sell electricity, and electric cooperatives organized under ORS chapter 62 must file with the Commission a copy of its approved risk-based wildfire mitigation plan or plan update within 30 days of approval from its governing body.

Statutory/Other Authority:

Statutes/Other Implemented:

