

March 16, 2022

Via Electronic Filing

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

Re: **Docket AR 638 – Risk-based Wildfire Protection Plan Proposed Plan**

Attention: Filing Center

Central Lincoln People's Utility District (Central Lincoln) appreciates the opportunity to submit comments into the record regarding the wildfire mitigation rules proposed by the Oregon Public Utility Administrative Hearings Division.

1. AR 638 Rulemaking – General Comment

Central Lincoln is one of 41 electric utilities that will be impacted by the AR 638 rule changes. The most recent changes to the rules made by the Administrative Hearings Division and incorporated comments from the three largest utilities. While Central Lincoln appreciates the larger utilities comments and time commitment throughout the rulemaking process, it is necessary to remind the Administrative Hearings Division that the rule changes will also affect 38 smaller utilities.

Central Lincoln, like many other smaller utilities, is primarily rural with much of its service area heavily vegetated; therefore, our limited resources are committed to vegetation and line maintenance and not dedicated reporting staff. The AR 638 rule changes that include additional reporting requirements result in a disproportionate burden to the smaller, rural utilities. As such, Central Lincoln appreciates being part of the conversation and this opportunity to provide comments.

2. OAR 860-024-0012 – Prioritization of Repairs by Operators of Electric Supply Facilities and Operators of Communication Facilities

Central Lincoln maintains that the last sentence in paragraph (4) places additional administrative burden on smaller utilities. Further, the requirement to submit “plans for correction for deferrals” related to permitting, public works projects, and those outside the Operator’s control, is inconsistent, as the other requirements in the subsection do not require Commission “review and tracking.” Central Lincoln requests that the last sentence in paragraph (4) be deleted from the rules.

3. OAR 860-024-0016 – Minimum Vegetation Clearance Requirements

The requirements specified in paragraph (2) are restated in paragraph (3). Central Lincoln suggests that eliminating the redundancy would eliminate language that is similar, but not the same and which causes confusion. Specifically, “vegetation management program” and “vegetation plans”; “designated minimum clearances” and “minimum clearances in subsection (5)”; “must be made available to the Commission upon request” and “must provide that information to Commission Staff”.

4. OAR 860-024-0017 – Vegetation Pruning Standards

This section references the American National Standard for Tree Care Operations, ANSI A300 (Part 1) 2008 Pruning, approved May 1, 2008. A more recent standard, which is dated 2017, exists and is used by utilities. The Commission should consider using the more recent standard.

5. OAR 860-024-0018 – High Fire Risk Zone Safety Standards

Paragraph (3) is confusing and Central Lincoln is not able to determine the Commission’s intent. Central Lincoln suggests the current paragraph be divided into coherent sentences. Additionally, the second sentence in paragraph (4) would benefit from additional editing to ensure clarity.

Central Lincoln maintains that paragraph (6) is another way of requiring joint inspections for consumer-owned utilities and its Occupants, which is not a requirement for Public Utilities as stated in paragraph (5). Central Lincoln requests that paragraph (6) be deleted from the rules.

Sincerely,

/s/ Ty Hillebrand

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