



Recommendation to Adopt Proposed Temporary Rules

AR 638

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TEMPORARY RULES

Establish minimum expectations for actions in 2021 by updating Div. 24:

- “ Fire-related incident reporting
- “ Public Safety Power Shutoff (PSPS) communication and coordination protocols
- “ Expire ~mid-November 2021



Decision to
propose
temporary
rules

- ” Permanent rulemaking timeline
- ” The 2020 Labor Day fires experience
- ” Rulemaking participant feedback
- ” Need for data on fire-related incidents to inform the permanent rulemaking

Temporary Rules Process

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- | | | |
|-----------|---|---|
| Aug. 2020 | ● | Open AR 638 |
| Dec. 2020 | ● | Kick-off Workshop |
| Jan. 2021 | ● | Scoping survey |
| Mar. 2021 | ● | Announce scope and schedule (incl. temporary rules) |
| Apr. 2021 | ● | Release draft temporary rules |
| | ● | Temporary Rules Workshop |
| May 2021 | ● | Written comments |
| | ● | Final proposed temporary rules |

Feedback Received

- “ Overall: Support for temporary rules!
- “ Utilities:
 - “ Clarity and flexibility
- “ Communities and public safety partners:
 - “ Firmer requirements
 - “ More transparency, coordination
 - “ More support for local partners
 - “ Long-term role of PSPS
- “ State agencies:
 - “ Streamline roles
 - “ Align with existing systems



STRATEGY FOR FINAL TEMPORARY RULES

Spirit of temporary rules: minimum guidance in place quickly



FIRE-RELATED INCIDENT RULES

Staff proposal:

- “ Modify existing rule for Incident Reports (OAR 860.024.0050) to include “Fire-related Incidents” that meet specific criteria.
- “ Modify existing Incident Report Form 221 to capture detailed information about incidents meeting the criteria specified in the rule.

FEEDBACK ON FIRE-RELATED INCIDENT REPORTING

Clarify types of incidents,
remove subjectivity



“ Clarified types of incidents
“ Kept requirement for incidents “that are the subject of significant public attention or media coverage.”

Provide the information
in annual report rather
than after each incident.



No change, need to maximize situational awareness and gather data to inform permanent rules

Concern that the utility
may not have detailed
information in timeframe
requested in rules.



No change, already have ability to indicate
“N/A”

QUESTIONS/COMMENTS?

Fire-related incident reporting

- ” Reporting requirements
- ” Reporting forms

PSPS RULES

Staff proposal:
Establish minimum requirements for communication, coordination, transparency related to PSPS in 2021

PSPS TEMPORARY RULES SUMMARY

In preparation for PSPS events

Education Campaign

Data Sharing with Public Safety Partners

Points of Contact

Publishing De-energization Considerations

Around the time of PSPS events

Notification Process, Format, Prioritization

Coordination with Local and State Partners

Requests to Delay PSPS

Notify OPUC of Transmission De-energization

After PSPS events

Report after each PSPS – 10 Business Days

Report at End of Season – October 31, 2021

Posting Public Versions

KEY DEFINITIONS

Public Safety Partner

Emergency responders at the local, state and federal level

Water, wastewater and communication service providers

Energy providers (electricity, natural gas, fuels)

County Emergency Managers

Members of the Oregon Emergency Response System Council (OERS)

Vulnerable Population

Individuals who have developmental or intellectual disabilities, physical disabilities, chronic conditions, injuries

Limited English proficiency or who are non-English speaking

Older adults, children, people living in congregate care or institutionalized settings

Those who are low income, experiencing homelessness, unhoused, or unsheltered

Transportation disadvantaged, including, but not limited to, those who are dependent on public transit

Individuals who have elected to identify

NOTIFICATION PROCESS

Overarching expectation = To the extent possible, notify all affected in advance

Must make every reasonable effort to notify all affected as soon as utility believes PSPS is likely

Whenever possible, provide priority notification to Public Safety Partners, Critical Facilities, adjacent

Adhere to minimum timelines whenever feasible

In advance of PSPS

- “ Notify Public Safety Partners and Critical Facilities at least 48-72 hrs
- “ Notify all other affected at least 24-48 hrs
- “ Update all groups if still likely 1-4 hrs in advance, if possible

At the time of PSPS

- “ Notify all groups when de-energization begins
- “ Notify all groups immediately before re-energization

**Must have a strategy for communicating during loss of power*

After PSPS

Notify all groups when re-energization is complete

NOTIFICATION PROTOCOLS

Overarching expectation = Utility responsible for communication strategy, goal to leverage existing systems where reasonable

Must work with local partners to disseminate information for PSPS events

- Work in good faith to develop notifications using existing public alerting systems
- Must include minimum information (group specific)
- Should deliver notifications in multiple formats, across several channels
- Must consider the geographic and cultural demographics of affected areas
- Must work to continually improve

To the extent possible, identify and ensure outreach to Vulnerable Populations

- Take all reasonable steps within the boundaries of the law to attempt to reach
- Should include messages to agencies that service Vulnerable Populations to amplify

Must prominently display PSPS info and methods of contact on utility website

FEEDBACK ON NOTIFICATION REQUIREMENTS

Changes Made

- ” Clarify roles, prioritization
- ” Clarify notification requirements, use of local notification strategies
- ” Recognized self-identification as a tool to identify Vulnerable Populations

Changes Not Made X

- ” Limit definition of Public Safety Partner
- ” Add food banks, shelters to critical facilities
- ” Limit or increase notification requirements
- ” Limit or expand requirements to identify and notify vulnerable populations

COORDINATION WITH PARTNERS

Overarching expectation = Must develop and maintain comprehensive contact information and coordinate with local and state emergency response

Must have multiple 24-hr points of contact with Public Safety Partners and Critical Facilities

Endeavor to embed a liaison in Emergency Coordination Center

Must coordinate with emergency planners to identify Critical Facilities (and contact info)

FEEDBACK ON COORDINATION REQUIREMENTS

Changes Made

- “ Clarify that Liaisons must only be embedded during PSPS events
- “ Refine requirements to work local and state emergency *planners* to identify non-utility Critical Facilities

Changes Not Made X

- “ Limit requirement maintain contact information
- “ Specify training for local liaisons
- “ Specify the Fire Defense Board Chief is a local Public Safety Partner

QUESTIONS/COMMENTS?

Identifying and notifying various groups and agencies prior, during, and after a PSPS

- ” Key definitions
- ” Notification process
- ” Notification protocol
- ” Coordination with partners

EDUCATION AND DATA SHARING

Overarching expectation: Must prepare communities and partners with information

Must develop and execute education campaigns with local partners

Must provide GIS data to Public Safety Partners

- Must provide when first notifying Public Safety Partners of PSPS, the most accurate and specific
- If requested provide in preparation for 2021 PSPS's
- If requested must provide additional "operational coordination" to Public Safety Partners

FEEDBACK ON EDUCATION AND DATA REQUIREMENTS

Changes Made

- “ Streamline education campaign in light of timeline
- “ Require GIS data provided to *all* Public Safety Partners in preparation for PSPS

Changes Not Made **X**

- “ Remove education campaign
- “ Specify additional requirements for education campaign
- “ Increase or decrease requirements to for GIS data

QUESTIONS/COMMENTS?

Community education and data sharing with public safety partners

- ” Education campaign
- ” Data sharing

PSPS DECISIONS

Overarching expectation: Utilities retain ultimate responsibility for PSPS decisions, with transparency

Must articulate PSPS considerations

Must provide any transmission de-energization protocols

- Must notify OPUC of transmission de-energizations
- Must comply with FERC

Should consider requests to delay de-energization on a case-by-case basis

- Must notify OPUC of requests within 2 hours

FEEDBACK ON PSPS DECISIONS

Changes Made

- “ Refer to PSPS decision factors as

Changes Not Made **X**

- “ Prescribe de-energization decision protocols for 2021
- “ Remove requirement to make PSPS considerations public
- “ Add requirement for joint decision or coordination of decision with local partners, emergency managers or other agencies
- “ Remove Request to Delay and De-Energization of Transmission Lines Sections

QUESTIONS/COMMENTS?

Providing access to information about the criteria utilities use to decide whether to initiate a PSPS

- ” PSPS decision considerations
- ” Requests to delay de-energization
- ” Transmission de-energization protocols

REPORTING REQUIREMENTS

Overarching expectation: Must provide transparent PSPS data and share lessons learned

Must report after each PSPS – 10 Business Days

Required to report at end of season – October 31, 2021

Must post non-confidential versions on website

FEEDBACK ON REPORTING REQUIREMENTS

Changes Made

- “ Provide 10 *business* days for post-event reporting
- “ Require post-season report filed before the expiration of the temporary rules (Oct. 31, 2021)
- “ Make public versions of reports available

Changes Not Made **X**

- “ Eliminate the post-season report
- “ Specify a process and timeline to review reports and apply lessons learned
- “ Specify that OPUC will facilitate any reporting requirements for state agencies

QUESTIONS/COMMENTS?

Reporting requirements following a PSPS and the fire season as a whole

- ” Post-PSPS report
- ” Post-season report
- ” Public versions

QUESTIONS AND OTHER TOPICS?

