

MOTION BY SUPERVISOR KATHRYN BARGER

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MITIGATING PUBLIC SAFETY POWER SHUT-OFFS

Over the past few years, Los Angeles County residents have experienced record setting wildfires, with growing frequency. The length of the typical wildfire season has increased, starting earlier, lasting longer, and seemingly become a year-round danger. Los Angeles County and specifically the Fifth Supervisorial District have been in discussions with Southern California Edison (SCE) and the California Public Utilities Commission (CPUC) since the start of the decade to demand that SCE implement upgrades to their infrastructure to mitigate the risk of wildfires.

In 2009, SCE asked the CPUC to allow for the imposition of a mechanism to allow for cost-recovery for damages to their transmission system associated with wildfires. This cost recovery mechanism would charge ratepayers to offset the potential cost for SCE to satisfy and settle potential claims and insurance costs. SCE has long asked ratepayers to pay for the increased costs for fire hazards and damages to their system, due to their inability to properly harden their infrastructure.

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In December 2011, powerful windstorms swept through the San Gabriel Valley and San Fernando Valley knocking down 200 utility poles, uprooting 1,300 trees, and leaving 439,000 customers without power for more than seven days. SCE's response to the disaster led the Consumer Protection and Safety Division of the CPUC to investigate. Their report found that significant portions of Edison's infrastructure damaged during the windstorms were deficient, per CPUC standards.

In 2014, in response to concerns related to SCE's planned outages and the impacts to business owners, the County Board of Supervisors sent a five-signature letter to the CPUC to request that they develop regulations that require additional requirements for utilities to mitigate impacts during upgrades and routine maintenance, including notification requirements and scheduling of planned outages to avoid conflicts with normal business hours.

Downed power lines have been implicated in causing several, recent wildfires in Los Angeles County. To reduce the threat of wildfire risk and liability, SCE began to implement Public Safety Power Shut-off (PSPS) events in 2018, routinely de-energizing the power grid in high-risk areas when low moisture readings and severe wind conditions are present. SCE has installed a network of local weather stations to monitor on-the-ground conditions and contends that the PSPS program is only used as a last resort when their weather-modeling programs indicate the most critical risks.

However, PSPS events have become far more frequent than initially predicted and pose a significant risk to the health and safety of unincorporated communities. With unpredictable climate conditions and more extreme weather conditions, numerous communities in the San Fernando, Santa Clarita, and Antelope Valleys have been suffering PSPS events with increasing frequency.

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Since mid-October, the communities of Acton and Agua Dulce have been subject to five PSPS events. Power shutoffs leave residents without cell service, internet service, and telephone land lines. Other utility providers, including telecommunication companies, have limited back-up battery power, leaving residents with no ability to receive updates or emergency notifications from emergency responders and even SCE. Further compounding the problem is that the notification system created by SCE creates confusion as notifications arrive too frequently, are often wrong about the timing of events, and do not give accurate information on expected actions related to PSPS events.

In addition, many of the Fifth District's rural communities subject to PSPS events have a significant percentage of residents that receive potable water from water wells, and power shut-offs leave them without access to drinking water and the ability to defend their homes during wildfires. The most recent events have also occurred in times of low temperatures, when the County's Department of Public Health has issued critical weather alerts about the dangers of near-freezing temperatures, and with a large population of seniors, this has posed a variety of challenges to the community.

This is in addition to numerous SCE initiated maintenance outages that have impacted thousands of residents in these communities, over the past nine months. The maintenance outages were billed by SCE as a preventive measure, to harden their facilities in high risk areas against inclement weather conditions such as high wind events, to prevent future PSPS events. This led to additional outages that shut-off power for hours on multiple days, in the middle of a global pandemic.

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As many of our communities have had significant impacts to their health, mental health, and financial health, the imposition of SCE-initiated power outages has added another significant burden for them to bear.

As many residents are now working from home, students are doing remote learning, and with no alternatives available under the Safer-at-Home public health orders, many are left with no options and have run out of patience. While our residents and communities understand the risk of wildfires and the intent of the PSPS events, they are tired of bearing the brunt of the impact to ensure that SCE's facilities do not potentially create new dangers to their health and safety.

I, THEREFORE, MOVE that the Board of Supervisors direct County Counsel to:

1. Investigate all available legal options for the County to take to mitigate the impacts of future PSPS events, including, but not limited to, joining the Acton Town Council's motion for party status, or filing its own motion for party status, for the CPUC Order Instituting Rulemaking to Examine Electric Utility De-energization of Power Lines in Dangerous Conditions, and report back to the Board within 30 days.
2. Review all existing CPUC rules related to SCE's PSPS program and report back with a summary of current compliance with requirements within 30 days.

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I, FURTHER, MOVE that the Board of Supervisors direct the Acting Chief Executive Officer (CEO) to send a five-signature letter to the Governor, CPUC, and the Los Angeles Delegation, to request additional reviews of SCE's PSPS program, including the need to address proper notification and communication to impacted communities, and to mandate substantial additional mitigation measures as a requirement for the continuation of the PSPS program, including, but not limited, to the deployment of battery-backup systems, generator programs, additional Community Resource Centers, and other necessary strategies to ensure the health and safety of County residents.

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