



Working for California

A MONTHLY NEWSLETTER FROM THE CPUC

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New CPUC Paper Addresses Safety Principles for Communications Providers

Editor's Note: With the increased threat from deadly wildfires and other disasters facing California, having a resilient and dependable communications grid that aids first responders and communicates with the public in a timely manner is a matter of life and death, especially for our most vulnerable residents. We lack such a system today and creating one must be a top priority. A CPUC [staff-authored paper](#) identifies regulatory and statutory gaps in communications that, if addressed, would significantly enhance public safety. What follows is a condensed version of the paper.

Few crises in California have risen to the level of urgency as the growing threat from catastrophic wildfires. Over the past few years, California has experienced increasingly destructive and fast-moving infernos as climate change, prolonged drought, and rapid development in the wildland-urban



Night evacuations take place in the Larkfield-Wikiup area of Santa Rosa during the October 2017 fires

interface exact an ever-greater toll on our state. Five of California's largest wildfires have occurred since 2012, and the state's fire season is no longer restricted to a few months a year. It has also become common for previous

wildfire records regarding fatalities and damages to quickly be eclipsed by new fires doing ever-greater damage.

These disasters have understandably alarmed the public and commanded the focus and resources

of state and local governments. And time and again, we learned of failures within California's communications grid.

California's communications grid, of course, can be disabled in

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Innovation and Technology Highlighted at Wildfire Summit



There are many safety initiatives underway at the California Public Utilities Commission (CPUC) as it works to assure Californians' access to safe and reliable utility infrastructure and services. Safety-related articles will be featured again in future issues.

The recent Wildfire Technology Innovation Summit was about to wrap up when Kirk McKinzie, a captain and technologist with the nearby Cosumnes Fire Department, began approaching the stage. He wanted to let organizers know what he thought of the event.

"Of the many conferences I've

been to in the last year, this was far and away the most impressive gathering I've seen of technology, innovation, forward-thinking, progressive, collaborative individuals and institutions that have moved the ball forward in a transforma-

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California Public Utilities Commission

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ways that have nothing to do with wildfires, jeopardizing public safety and disrupting vital services, including 9-1-1 calls, phone service, Internet access, credit card processing, and ATM machines.

This problem is most acute in rural California, where, as state Senator Mike McGuire (2nd Senate District - North Coast / North Bay) has noted, life-threatening emergencies cannot be responded to effectively if the communications grid is unreliable.

“As it stands now, telecom companies don’t let emergency officials know when the local 9-1-1 system is not operating, which puts lives in danger,” Senator McGuire has said. “To adequately provide rural residents the public safety they deserve, emergency responders have to be kept in the loop. There is a basic level of communication that must occur between the utility company, the customer base, and the local government.”

In the deadly wildfires of October 2018, Cal OES reported that 341 cell sites went off line; 72,000 people had difficulty reaching 9-1-1. As Mark Ghilarducci, Cal OES Director, said at a 2018 CPUC workshop, “Our wireless network is just not built to survive the disasters and many of the cell sites do not have that resiliency, whether it’s power backup, or they’re built to a standard at which they can withstand these kinds of events.”

A drier, denser California—one more prone to catastrophic wildfires—has been called the state’s new normal. In this California, the questions addressed here are a matter of life and death, especially for people living in high-risk areas, the elderly, and other vulnerable populations. Because emergency responders have the same concerns during earthquakes, flooding, and other disasters, these shortcomings affect virtually everyone in the state.

Public Safety Power Shutoffs, or pre-emptive de-energization actions increasingly employed by the state’s electric utilities to help prevent wildfires, are another growing concern. Californians will undoubtedly experience de-energization of the electric grid more frequently and for longer durations. This is another compelling reason why the state needs a more resilient, reliable, and predictable communications grid, which may require more than the voluntary efforts and goodwill of communications providers. De-energizing electric power lines affects communications networks, necessitating creation of multiple layers of backup power for cell towers and IP services that otherwise could be inoperable for multiple days. This will likely require the adoption of standards, protocols, and best practices for power companies and communications providers to ensure proper notification between utilities and to mitigate the impact on affected populations through back-up power requirements.

Public safety is paramount, and when a 9-1-1 call is made, it must go through, no matter the time, place, or technology used. Historically, traditional copper telephone lines are reliable, even in blackouts, because they are powered by an independent electrical source. When the power goes out, they still work. The resiliency of VoIP service is more precari-

ous; it is generally provided over copper, fiber, or cable facilities that do not have their own power. The Federal Communications Commission (FCC) requires providers to offer their customers the option to purchase 8 or 24 hours of battery backup power, but that may not be enough for Californians who are experiencing and will continue to experience multi-day de-energization events. For wireless consumers, their mobile phones operate on battery power, but they may or may not have service in a power outage, depending on the backup power installed at cell sites.

For all of these services, backup power for consumers is only part of the equation. The actual networks need power to operate—whether wired or wireless—and backup power requirements on the network-side are minimal, if they exist at all. Having a reliable and resilient system is crucial in trying to mitigate the impact of power shutoffs on vulnerable populations.

Also, of crucial importance is real-time reporting to California’s

first responders and entities such as Cal OES on where outages occur, something that communications companies now say they provide voluntarily. Emergency responders need this information quickly if they are to respond effectively. Budge Currier, 9-1-1 Branch Manager at Cal OES, addressed this issue at the CPUC workshop last November.

“If we don’t have that type of information in real time, we can’t make those decisions,” Currier said. “So, then the ripple-down effect of that is, I establish a disaster recovery center at a fairground with no (communications) and now you’re having to bring in portable cellular to provide communications there, which we all know doesn’t have the capacity to truly support everybody that would be in that area. . .”

California has clear requirements for electric, natural gas, and water utilities to ensure access to safe, reliable, and affordable services. But

When you are responding into an emergency, communications are your lifeline. When people are rushing out of a threatened area or having to communicate with 9-1-1 centers, that link, that communications link, is critical for life-saving operations.

-Cal OES Director Mark Ghilarducci at CPUC Workshop on Emergency Disaster Relief, Nov. 1, 2018

Top 5 Largest California Wildfires			Top 5 Most Destructive California Wildfires			Top 5 Deadliest California Wildfires		
Name	Date	Acres	Name	Date	Structures	Name	Date	Deaths
Mendocino Complex	2018	459,123	Camp	2018	18,804	Camp	2018	85
Thomas	2017	281,893	Tubbs	2017	5,636	Griffith Park	1933	29
Cedar	2003	273,246	Tunnel	1991	2,900	Tunnel	1991	25
Rush	2012	271,911	Cedar	2003	2,820	Tubbs	2017	22
Rim	2013	257,314	Valley	2015	1,955	Cedar	2003	15

Five of California’s largest wildfires have occurred since 2012

because of significant legal obstacles and technological changes, this is no longer true for communications utilities. The state’s oversight of communications providers cannot ensure safe, reliable, and affordable service, nor does the state require communications providers to take steps that can protect the public during an emergency.

Arguably the greatest obstacle toward a more reliable communications grid has been Section 710 of the California Public Utilities Code. In part, the law says: “The Commission shall not exercise regulatory jurisdiction or control over Voice over Internet Protocol and Internet Protocol enabled services except as required or expressly delegated by federal

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The 2018 Thomas Fire threatens homes in Santa Barbara

law or expressly directed to do so by statute or as set forth in subdivision (c).”

It was not that long ago, when most people had landlines and mobile phones were less prevalent, that if someone dialed 9-1-1 for help, he or she got through and the person answering the call knew its origination point. Help could be dispatched to a precise location, or emergency preparedness or response information dispensed, without wasting precious time trying to pin down the caller’s whereabouts. Now, mobile phones are ubiquitous, with 80 percent of 9-1-1 calls made from a wireless device. Many traditional phone lines remain in use in California, but these devices are rapidly being replaced by VoIP phones or Voice over Internet Protocol, a technology that allows a user to make voice calls using a broadband Internet connection instead of a regular, or analog, phone line. Yet, Wireless and VoIP 9-1-1 calls may not automatically transmit the user’s phone number and/or location information.

The state’s inability to communicate effectively in a disaster was underscored yet again—this time under tightly controlled circumstances—when the Sonoma County Fire and Emergency Services Department conducted an alert and warning test over two days in September 2018. They released their findings in the Sonoma County Operational Area Alert and Warning Functional Exercise After Action Report / Improvement Plan.

County personnel attempted to contact people associated with the nearly 300,000 phone numbers in the SoCo Alert database. Officials reported a 51 percent success rate in delivering messages to a person or answering machine. Similar problems were reported in the Camp Fire. The Sonoma program is mandatory, as SoCoAlert twice a year purchases customer data and phone numbers from AT&T and Frontier Communications. SoCoAlert also encourages people to go to the program website and register on their own so first responders can notify residents and businesses by mobile phone, text message, email, and social media with time-sensitive, geographically specific emergency notifications.

The Sonoma County Report also found inconsistent policies and practices in how providers issued alerts. The report noted that these inconsistencies reduce the confidence that emergency management officials have in being able to manage successful emergency responses.

In an active CPUC Rulemaking regarding post-disaster consumer protections, communications providers represented by the VoIP Coalition that includes AT&T, Charter, Comcast, Frontier, and other providers actively oppose the CPUC’s effort to impose post-disaster requirements on them, filing in Sept. 2018 for a rehearing of the CPUC’s Decision (18-08-004). The protections called for in the Decision include such measures as waiving for one year deposit requirements for residential customers seeking to reestablish service, stopping estimated usage billing for the time period when a residence is unoccupied as result of the

emergency, discontinuing billing for the same reasons, implementing payment plan options for residential customers, suspending disconnection for non-payment and associated fees, and waiving deposits and late-fee requirements for residential customers and similar steps.

Communications providers generally argue that they are already doing on a voluntary basis most of what the order would require. They also maintain that any mandatory disaster relief measures exceed the CPUC’s jurisdiction under Section 710 and are contrary to federal law. But given California’s recent experience with deadly fires and the

persistent communications challenges they pose, first responders have made clear that voluntary measures are not enough.

In light of these issues and experiences, the Legislature must determine what responsibilities communications companies have before, during, and after a disaster. Setting clear policies that enhance public safety and emergency preparedness and the restoration of vital communications services after a disaster are essential. Deregulated Internet Protocol services and a lack of any clear policies and standards inhibit local and state public safety agencies from ensuring a safe and reliable communications grid for warnings, evacuations, and response.

Given the communications companies’ track record of resisting any regulation, their statements of support for what the emergency responders and the CPUC wish to achieve—as long as they can do it on their own schedule and voluntarily, if at all—do not ensure that communications providers will remedy the problems cited here on their own.

Legislative action in the following four areas will help realize a reliable and resilient communications grid that works effectively before, during, and after a disaster strikes:

- Ensuring distribution of emergency alerts to the public as quickly and reliably as possible
- Requiring communications services be provided during emergency response operations
- Requiring the resiliency of the communications grid, ensuring its ability to function when there is loss of power.
- Financial obligations for enhanced emergency response.

Legislative support and guidance are needed for the CPUC, Cal OES, and local emergency services departments to ensure the public’s access to 9-1-1, the timely delivery of emergency alerts, and to take the steps needed to protect the public without industry obstruction.

Here is a summary of the state’s current authority over the three classifications of voice services:

- **Traditional Telephone Services Landlines:** The State Legislature and the CPUC retain extensive authority over traditional phone service companies. While clearly still an important technology, traditional telephone subscriptions have dramatically declined as consumers switch to wireless and VoIP services. The state can no longer ensure a reliable and resilient communications grid by limiting its authority to this service alone.
- **Wireless Carriers:** Federal law precludes states from regulating entry into wireless markets and the rates of wireless carriers, but states retain explicit authority to regulate terms and conditions of

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service. Still, wireless providers are likely to challenge any effort to impose safety regulations, including requiring the provision of temporary facilities in areas where permanent facilities have been damaged or destroyed. The companies may argue that these requirements constitute indirect rate regulation, or ‘entry’ regulation, or both. However, resiliency of wireless voice networks is a service quality issue that seems to fall under the preserved state authority over the ‘terms and conditions of service’ and would cover requiring warnings to customers, providing communications services during emergency response operations and ensuring resiliency of their networks and the ability to function where there is loss of power.

To improve wireless resiliency, it would be highly beneficial for the state to consider requiring mandatory back-up power and defensible space for all cell sites and disclosures by wireless providers to customers as to how emergency alerts work, including any steps that customers would need to take to make sure they receive the alerts.

The state could exercise the limited regulatory authority it has under “terms and conditions” for wireless communications when

it comes to ensuring the public’s safety, despite industry opposition to such efforts. Legislation should be enacted before the next disaster to ensure the state takes meaningful steps to protect the public and save lives.

- **VoIP Carriers:** Public Utilities Code Section 710 prohibits the CPUC, Cal OES, and local governments from exercising regulatory authority over IP-enabled services, including voice. The law sunsets on January 1, 2020. When Section 710 was passed in 2012, arguments for the bill included the notion that VoIP was in its nascent form and needed free reign to innovate and grow. Seven years later, with the law set to expire and the industry seeking its extension, it may be time for a change. The industry is no longer nascent; VoIP has surpassed traditional telephone service as the dominant wireline service in California. It is clear, given the threat of wildfires, mega-storms, and other disasters, and the strains those disasters put on the communications grid, that there are compelling public policy and safety reasons for why Section 710 should sunset. All voice providers that offer the public the vital link to 9-1-1 must once again be required to provide reliable service and consumer protections.

Wildfire Summit: *continued from page 1*

tional manner regarding protection of our people related to fire and life safety,” McKenzie said. “From my perspective as a first responder and my background in technology and having worked with 70 teams around the world, it was impressive in a way I was neither expecting nor could have even hoped for.”

Along with more than 700 participants, McKenzie had spent two days in March on the California State University, Sacramento campus listening to and participating in panel discussions and presentations by researchers, scientists, utility executives, academics, and other experts who came from as far away as Australia and Russia to focus on new ways to prevent, combat, and mitigate wildfires.

Co-sponsored by the CPUC, Cal OES, Sac State, IBM, and UC San Diego, this initial Wildfire Technology Innovation Summit showcased conversations about deploying artificial intelligence, big data and analytics, enhanced weather monitoring, and other technological advances to help keep California’s people, property, and environment safe from the growing wildfire threat.

“The turnout here today . . . and all the other agencies that are participating here with us gives us some hope that smart people will actually turn and focus on these issues and we’ll make progress,” Michael Picker, President of the



Elizaveta Malashenko, CPUC Deputy Executive Director, speaks on a day 2 panel at the Summit

CPUC, said during his opening-day panel with directors of the California Department of Forestry and Fire Protection (CAL FIRE) and Cal OES.

Proposed last fall by Elizaveta Malashenko, Deputy Executive Director of Safety and Enforcement for the CPUC, the Summit sought to identify better ways to deal with the wildfire threat after consecutive California fire seasons that resulted in a total of more than 100 fatalities, thousands of homes destroyed, and almost 2 million acres burned.

“I think what’s different about the wildfire challenge is that we have maxed out the standard

ways of addressing this problem,” Malashenko said. “We really have as a state done everything that we know how to do . . . and as the last two years have shown, it’s just not enough. And we are getting to the point where we as humans just cannot process the amount of information necessary to get us to the next stage of knowing what to do and how to address it.”

That’s where advanced technology comes into play. Improving situational awareness, installing better weather networks, digital modeling of wildfire behavior, and utility vegetation management programs generate massive amounts of data, for instance. And

the Summit, Malashenko said, was aimed at creating a deeper understanding of what she called, “the backbone of technology that’s going to be needed across all the various applications for us to be able to leapfrog into the future and make sure that the wildfires are not the new normal and that we overcome this, as I really believe we can.”

The Summit began on a rainy morning after a brief welcome by Alice Stebbins, the CPUC’s Executive Director, who said the event drew so much interest that the Union Ballroom at Sac State

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was at capacity. Some people had to be turned away. A room at the site was also set up so some of the overflow crowd could watch as panel discussions were streamed live inside the hall, and there is already talk about holding a second Summit next year.

State Senator Bill Dodd (D- Napa) spoke following Executive Director Stebbins. Dodd authored last year's most significant wildfire-related legislation—Senate Bill 901. While there was palpable energy and optimism throughout the Summit, there also seemed to be a consensus that the deadly fires of recent years are likely to strike again at some point.

"I've had a number of meetings with folks who are developing a vast array of devices, software, and other tools to predict, identify, prevent, respond, and fight wildfires," Senator Dodd said. "I'm truly amazed at what is out there to help minimize and reduce wildfire risk. But we need much more."

Thom Porter, Director of CAL FIRE, echoed Senator Dodd's assessment when he said, "Like it or not, climate change has changed the entire game for us and all indications are we're at a point where even if we continue to do all the good work we do trying to arrest climate change in parts of the world, we're still going to have this kind of activity . . . We're seeing conditions and seeing trends that are going to push us to more and more of these types of years that we're dealing with in the wildfire arena."

Still, there were more than a few success stories to be shared. There were panels that zeroed in on how drones, satellite technology, and LIDAR, which is similar to radar but uses pulsed light from a laser to measure distances, can identify where vegetation is encroaching on electric lines in ways that are not always apparent from the ground.

Another presentation that prompted a lot of conversation inside the Summit came from Enview, a San Francisco firm that uses geospatial 3D imaging to strengthen vegetation management.

As some of the firm's literature explains: "Major incidents, wildfires and unplanned outages may result from contact or inadequate clearances between vegetation and power lines. The ability to identify the

exact location and clearances of high-risk vegetation early and at scale helps operators prioritize and address the problem areas. LIDAR-driven programs have helped in this regard but are constrained by heroic levels of manual data manipulation. Automation of 3D Geospatial Analytics through AI, machine vision and parallel computing enables accurate and extremely fast identification of at-risk spans."

As anyone who attended the Summit could attest, there was a lot to consider and digest, including an interesting overview from Caroline Winn, Chief Operating Officer for San Diego Gas & Electric (SDG&E), about work the utility has done to strengthen its technology and other fire-prevention efforts after deadly wildfires in 2007. "We had to shift our priorities from keeping the lights on to keeping everyone safe," she said. Building what she described as, "America's largest utility weather network," SDG&E created a team of experienced meteorologists and installed 180 weather stations throughout its territory to track humidity, fuel moisture, wind, and more. It was also the first California utility to begin using pre-emptive power shutoffs to limit wildfire risk during extreme weather conditions. "Nothing we did at the beginning was easy," Winn said. "We were making changes at the time when people were adamant we were wrong. But we stayed the course."

On day two of the conference, participants had another topic to consider when William Craig Fugate, a former administrator of the Federal Emergency Management Agency, aimed part of his remarks toward the many first responders in attendance. "If we don't change how and where we build in the WUI (wildland urban interface)," Fugate said, "there's not enough of you and we're going to burn more buildings. How we build our communities has more impact on the future than anything we're talking about here."

Land-use decisions are crucial, of course, as Fugate reminded everyone. But there was also no denying that technology and the ability to interpret massive amounts of data in real-time can be a huge help to efforts by California and other states and nations trying to deal with the growing threat posed by fast-moving, highly destructive wildfires.

California & Hawaii Collaborating on Clean Energy and Climate Change

California and Hawaii, two states with some of the most far-reaching programs to reduce greenhouse gas emissions and fight climate change, have formally joined forces with an agreement signed last month by leaders of each state's Public Utilities Commission.

The [Memorandum of Understanding \(MOU\)](#) was signed at the 6th Annual Hawaii Energy Conference and Exhibition in Maui. The agreement is the culmination of ongoing efforts between the two states to establish a framework for sharing best management practices and other information related to decarbonization, climate adaptation, resiliency, cost-effective resources, cybersecurity, and more.

"They have worked with us a number of years and in some respects, this memorializes that, but it also covers a number of other things," Michael Picker, President of the CPUC, said at the CPUC's Voting Meeting in San Francisco

on March 28, one day after the agreement was signed in Hawaii by President Picker and James Griffin, Chair of the Hawaii PUC.

As the MOU spells out, Hawaii and California have been feeling the serious impacts of climate change for some time now.

"Both states are already seeing the devastating impacts of climate change in the form of destructive and unprecedented storms, unpredictable weather shifts, degradation of natural resources, sea-level rise, and other catastrophic events," the MOU states. "Recognizing the commitments both states made to combat climate change, including joining the Paris Agreement under the United Nations Framework Convention on Climate Change to pursue efforts to slow and reduce the rate of global warming, the chairs of the California and Hawaii Public Utilities Commissions also affirm their commitment to achieving each state's clean energy and



Hawaii PUC Chairman James Griffin, Hawaii Governor David Ige, and CPUC President Michael Picker

climate goals."

With the new agreement, the two Commissions agree to collaborate on:

- Addressing climate change

and limiting global warming emissions to less than two degrees Celsius by the end of

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Hawaii Clean Energy: *continued from page 5*

the century;

- Developing the use of low and zero-carbon technologies in the energy and transportation industries to achieve carbon neutrality by no later than 2045;
- Promoting carbon offset programs;
- Supporting energy planning that recognizes the ability of low-carbon resources to provide reliability and cost-effective benefits while fostering new technology and innovation;
- Promoting cost-effective conservation and demand response
- Advancing infrastructure to reduce carbon emissions in transportation and energy

“Our Commission is thrilled with the opportunity to collaborate with the California Public Utilities Commission on achieving each state’s ambitious clean energy and climate goals,” Hawaii PUC Chair Griffin, said. “We look forward to further dialogue between our Commissions and staff on the many shared issues between our states.”

In a page-one article in the Maui News, Griffin said the California PUC is an energy industry leader that has long been helpful to its Hawaiian counterparts.

“We can easily compare notes in the things we’re doing together, but perhaps the most likely and consequential effort will be the ability of our staff to work closely with President Picker’s staff. We follow California’s regulatory agenda closely but having the ability to call people up directly and work with them is really a huge benefit.”

In the same article, Picker said, “We’ve had a long relationship of sharing information and discussing problems that are similar. Although the circumstances here . . . are different than they are in California, the same kinds of problems are arriving as we drive towards this goal of lots of clean energy, reducing GHG emissions in the electric industry, and

trying to reduce the impact of climate change on our communities.”

There is another important issue that the two states share and plan to work on collaboratively, although it’s not singled out in the MOU

“One of the issues that came up at the Hawaii energy conference where we signed the MOU was this issue of recycling and end-of-life treatment of solar panels and battery storage,” Picker said at the CPUC Voting Meeting in San Francisco. “It’s a pressing issue for (Hawaii) already, given the fact that they have lots and lots and lots of solar arrays and they are starting to see a lot of battery storage, particularly lithium ion, and they have very little land mass to get rid of it. So, they are as focused as we are in making sure that the gains that we make in terms of clean energy don’t result in a dirty waste stream that we will then either dump into landfills or ship overseas. And that’s been the pattern we’ve seen in other phenomenal disruptive breakthroughs such as computer technology and cell phones, where for many years they recycled copper wire and melted gold out of chips by hand. . . We can’t allow ourselves to take pride in the work that we are doing to prevent climate change if we don’t also start to think about the eventual disposition of large amounts of this potentially hazardous equipment.”

In another MOU signed recently by the CPUC, the regulatory agency is now collaborating with Cal Recycle on the issue and hosted a joint agency workshop on April 3, in San Francisco entitled, “From Cradle to Grave: Addressing End-of-Life Management for Photovoltaic Panels and Batteries for Electric Vehicles and Energy Storage.”

Hawaii Chair Griffin and his fellow Commissioner Jennifer Potter participated in the workshop remotely from Hawaii, with each making opening remarks, and several Hawaii PUC staff participated remotely as well.

Get to Know Us: Meet Ed Chavez

Ed Chavez has been working on the railroad for 30 years. Like for his father and grandfather before him, miles of parallel track dominate his life and CPUC office in his home near Colfax.

“Actually, I attended Sierra College to be a firefighter,” he says, “and worked three seasons for what is now called CalFIRE. But after a seasonal layoff, my dad asked if I wanted to work on the railroad, and here I am.”

Ed started as a laborer and powderman (blaster) for Southern Pacific, a rail company with a long and storied history that runs concurrent with the founding of the CPUC as the Railroad Commission in 1911. (Fun fact for CPUC historians: Southern Pacific Railroad developed a telecommunications company with state-of-the-art microwave and fiber optics that became part of Southern Pacific Railroad Internal Networking Telephony, the acronym for SPRINT.)

Only a year into his tenure, Ed says he leveraged his bilingualism into a position where he man-

aged up to five track maintenance workers, the majority of whom were Hispanic. In addition to his human resources, fiscal, administrative, and production duties, calculating train arrivals and work schedules was an important part of his job. “You sure don’t want to be wrong about that safety outreach!” he exclaims.

Ed soon promoted to American Railway and Airway Supervisors Association Supervisor for System Rail, Tie, Surface, Crossing, Unloading and Switch Gangs. Overseeing up to 120 employees in seven states, he was responsible for completing several multi-million-dollar projects, working with government agencies, and handling complaints from the public.

Ed’s broad knowledge was a basis for his becoming the first person promoted to Relief Manager of Track Maintenance in the western region. On duty 24/7, he relieved permanent track managers and provided expert additional help. After a year, he became Manager of Track Maintenance in



Ed Chavez, Supervisor of Operations and Safety Sections for Northern California

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Roseville. Working 365 days per year, always on call, he was responsible for 465 miles of track through several yards and industries. He also investigated any railroad accidents in his territory.

When asked how he could keep that pace for more than four years with no days off, Ed replies simply, "You can't! That's why I became the first person in my family to leave the railroad." In 2005, Ed came to work for the CPUC as one of only 400 Federally Certified Track Inspectors in the U.S.

Ed cites high divorce rates among other rail workers and then proudly points to his upcoming 25th wedding anniversary. "I have two teenage daughters and a life now," he says gratefully. "My dad was very nervous about my choice at first, but now he is thrilled."

In his days off, Ed doesn't allow himself much down time. He enjoys hunting deer and elk and has set up a butcher shop to prepare the meat. He says he doesn't get his boat out as much as he would like but especially likes ocean fishing.

He also spends time gold panning and coaching his girls' softball teams.

A couple of years after joining the CPUC, Ed served as Senior Transportation Operations Supervisor, both making inspections himself—to keep his certification—but also supervising the inspectors of the mechanical, operating, hazardous materials, signal, and track disciplines. He trained State inspectors and railroad employees in CPUC General Orders and CPUC codes.

Ed points out that his branch goes considerably beyond checking all

the safety boxes by performing risk assessments, constantly looking for what can go wrong. "When you work for a rail company, you are a fixer," Ed reflects. "You never have enough resources to be truly successful. When you work for the CPUC, you are a finder. You find causes and conditions and save lives. It happens all the time and it's pretty cool."

He tells of a time he noticed that a train did not have a drag detector to tell the train to stop once it derailed. Although there were not requirements for such a detector, Ed was able to convince the company to put one in place, thereby reducing the chances of a derailed train entering the town of Colfax. "Although it can take time," he admits, "I can't think of a time when the railroad did not do what was asked." He cites another time he persuaded a company to install guardrails on a rail bridge crossing Interstate 80, again, even though there are no laws that require it.

In 2015, Ed promoted to his current position of Supervisor of Operations and Safety Sections for Northern California - a territory stretching all the way from Oregon to San Luis Obispo, and Nevada to Madera. In this position, he is responsible for a team of rail safety inspectors in all five disciplines: track, hazardous materials, signal, operating, and mechanical. The teams investigate derailments, injury/fatality accidents, and complaints. Ed is also responsible for the Bridge and Tunnel inspections for the entire state.

Ed cites pride in his communication and accountability skills, traits that are vital for a staff that all work out of their homes in far-flung parts of the state. "I'm very lucky not to have one lemon in the bunch," he says. "Really, I'm so proud to work with such a great group of people."

Congratulations Dan Washburn!

The Institute of Internal Auditors, the profession's best-known organization for advocacy, education, and the setting of standards, guidance, and certifications, has honored one of the CPUC's own with its 2018 William S. Smith CIA – Certificate of Honors Award for outstanding performance on the CIA examination.

Dan Washburn, Senior Management Auditor in Internal Audits at the CPUC, recently won the global award that is given to individuals who pass each of the three-part Certified Internal Auditor (CIA) exams on the first attempt and submit one of the best exam papers following Gold, Silver, and Bronze medalists.

Established in 1941, the Institute today serves more than 190,000 members from more than 170 countries and territories. The Certified Internal Auditor is the primary professional designation that the organization bestows on its members.

Through self-study over nine months, Dan completed the exams and earned the certification on March 9. The Certificate of Honors Award means that Dan received one of the top 65 exam scores of all Certified Internal

Auditor recipients throughout the world in 2018.

A full list of award recipients will be published in an upcoming Internal Auditor magazine and on The Institute of Internal Auditors' website. The pass rate for the exams globally was 42 percent. In 2017, the last year for which statistics are available, the organization granted more than 6,100 certifications around the world and delivered more than 48,000 exam parts.

At the CPUC, Internal Audits has a broad scope that involves evaluating the organization's operational efficiency, the reliability of financial reports, and compliance with laws and regulations in order to provide recommendations to management from an independent and objective source.

As an internal auditor with the CPUC, Dan leads and conducts internal audits, performs special investigations, and provides consulting services in a variety of areas. His primary job is to assist management in improving operations and protecting the assets of the CPUC.

Dan has a business degree from Illinois State University and a Committee of Sponsoring Organi-



Dan Washburn, Senior Management Auditor at the CPUC

zations of the Treadway Commission Internal Control Certificate from the Institute of Internal Audi-

tors. In his spare time, he enjoys boating in the Delta and reading.

The Docket: Proceedings Filed at the CPUC in Mar. 2019

PROCEEDING NUMBER • FILED DATE • FILER

A1902015 • 28-Feb-2019 • Southern California Gas Company Application of Southern California Gas Company (U 904 G) and San Diego Gas & Electric Company (U 902 G) for Renewable Natural Gas Tariff. <http://docs.cpuc.ca.gov/SearchRes.aspx?DocFormat=All&DocID=270447149>

A1902016 • 28-Feb-2019 • Pacific Gas and Electric Company Application of PACIFIC GAS AND ELECTRIC COMPANY for a Waiver of the Capital Structure Condition (U39M). <http://docs.cpuc.ca.gov/SearchRes.aspx?DocFormat=All&DocID=270419291>

A1902017 • 28-Feb-2019 • Southern California Edison Company Application of Southern California Edison Company (U338E) for Approval of Waiver of Capital Structure Rule. <http://docs.cpuc.ca.gov/SearchRes.aspx?DocFormat=All&DocID=268722658>

A1902018 • 28-Feb-2019 • Pacific Gas and Electric Company Application of Pacific Gas and Electric Company for Compliance Review of Utility Owned Generation Operations, Electric Energy Resource Recovery Account Entries, Contract Administration, Economic Dispatch of Electric Resources, Utility Owned Generation Fuel Procurement, Diablo Canyon Seismic Studies Balancing Account, and Other Activities for the Period January 1 Through December 31, 2018.(U39E). <http://docs.cpuc.ca.gov/SearchRes.aspx?DocFormat=All&DocID=270491087>

A1903002 • 04-Mar-2019 • San Diego Gas & Electric Company Application of San Diego Gas & Electric Company (U902E) for Authority to Update Marginal costs, Cost Allocation, and Electric Rate Design. <http://docs.cpuc.ca.gov/SearchRes.aspx?DocFormat=All&DocID=270491100>

A1903003 • 06-Mar-2019 • Balboa Island Ferry, Inc. In the Matter of the Application of BALBOA ISLAND FERRY, INC., a California corporation, (VCC-2), for Authorization to Increase Fares on its Vessel Common Carrier Service on Newport Bay Between Balboa Island and the Balboa Peninsula in the City of Newport Beach. <http://docs.cpuc.ca.gov/SearchRes.aspx?DocFormat=All&DocID=270202673>

A1903007 • 07-Mar-2019 • B&L Transportations Application of B & L Transportations for authority to operate as an on-call passenger stage corporation between points in all high desert area and Cross Boarder Express, San Diego, CA and to establish a Zone of Rate Freedom. <http://docs.cpuc.ca.gov/SearchRes.aspx?DocFormat=All&DocID=272614329>

A1710018 • 08-Mar-2019 • ALJ/SEMCKER/CPUC Proposed Decision authorizing Liberty Utilities (CalPeco Electric) to recover costs recorded in the Catastrophic Event

PROCEEDING NUMBER • FILED DATE • FILER

Memorandum Account related to 2017 winter storms. <http://docs.cpuc.ca.gov/SearchRes.aspx?DocFormat=All&DocID=270491156>

A1903008 • 11-Mar-2019 • Golden State Water Company on behalf of its Bear Valley Electric Service Division In the Matter of the Application of Golden State Water Company, on behalf of its Bear Valley Electric Service Division (U 913 E), for Approval to Acquire, Own, and Operate the Bear Valley Solar Energy Project, Authorize Ratemaking Associated with the Project, Authorize a Deviation from Its Tariff, and Issue an Expedited Decision Granting Such Relief. <http://docs.cpuc.ca.gov/SearchRes.aspx?DocFormat=All&DocID=272264701>

A1312012, I1406016 • 19-Dec-2013 (re-opened week of March 11) • Pacific Gas and Electric Company Application of Pacific Gas and Electric Company Proposing Cost of Service and Rates for Gas Transmission and Storage Services for the Period 2015 - 2017 (U39G). [Proceedings A.13-12-012 and I.14-06-016 are consolidated by OII issued 7/2/14. <http://docs.cpuc.ca.gov/SearchRes.aspx?DocFormat=All&DocID=271580959>

A1903010 • 12-Mar-2019 • Flixbus, Inc. Application of Flixbus, Inc., (PSC-38022) for Authority to Extend its Service Area to operate as a scheduled passenger stage corporation between point in the counties of Alameda, Butte, Contra Costa, El Dorado, Inyo, Kings, Los Angeles, Mariposa, Merced Mono, Napa, Orange, Placer, Riverside, San Bernardino, San Diego, San Mateo, Santa Barbara, Shasta. Solano, Ventura, and Yolo and to establish a Zone of Rate Freedom. HARD COPY FILED

R0506040 • 13-Mar-2019 • CMMR/PICKER/CPUC Proposed Decision denying California Community Choice Association's Petition to Modify Decision 11-07-028 to allow its specified employees access to confidential information pertinent to reviewing the Power Charge Indifference Adjustment. <http://docs.cpuc.ca.gov/SearchRes.aspx?DocFormat=All&DocID=273391793>

R1903009 • 14-Mar-2019 • CPUC Order Instituting Rulemaking to Implement Senate Bill 237 Related to Direct Access. <http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=273116603>

A1903011 • 15-Mar-2019 • Golden State Water Company on behalf of its Bear Valley Electric Service Division Application of Golden State Water Company on behalf of its Bear Valley Electric Service Division (U913E) for Approval of its Proposed Tariff to Compensate Eligible Distributed Generation Customers. <http://docs.cpuc.ca.gov/SearchRes.aspx?DocFormat=All&DocID=273147215>

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Docket: Mar. Filings, *continued from page 8*

A1308002, A1308003, A1308005, A1308007, A1308008 • 22-Mar-2019 • ALJ/KLINE/CPUC

Proposed Decision modifying Decision 15-01-024 to amend the Weighted Average Cost of Greenhouse Gas compliance instruments methodology in Attachment C. Opening comments are due no later than April 11, 2019. Reply comments are due 5 days after the last day for filing opening comments. <http://docs.cpuc.ca.gov/SearchRes.aspx?DocFormat=All&DocID=274173140>

A1712006 • 21-Mar-2019 • ALJ/JUNGREIS/CPUC

Proposed Decision authorizing the sale and transfer of Rio Plaza Water Company, Inc. to California-American Water Company, Inc. Opening comments are due no later than April 10, 2019. Reply comments are due 5 days after the last day for filing opening comments. <http://docs.cpuc.ca.gov/SearchRes.aspx?DocFormat=All&DocID=274178718>

R1602007 • 18-Mar-2019 • ALJ/FITCH/CPUC

Proposed Decision adopting Preferred System Portfolio and Plan for 2017-2018 Integrated Resource Plan Cycle. <http://docs.cpuc.ca.gov/SearchRes.aspx?DocFormat=All&DocID=272614400>

R1301010 • 18-Mar-2019 • CMMR/RANDOLPH/CPUC

Proposed Decision resolving Phase 3 issues regarding the California Teleconnect Fund (CTF). This decision makes changes and other refinements to clarify program aspects for both carriers and CTF program participants. <http://docs.cpuc.ca.gov/SearchRes.aspx?DocFormat=All&DocID=272614398>

A0706031 • 18-Mar-2019 • ALJ/KIM/CPUC

This decision dismisses Southern California Edison Company's Petition for Modification of Decisions 09-12-044, 13-07-018, and 14-01-005, seeking retroactive modification of the findings of maximum cost originally set in those decisions for the Tehachapi Renewable Transmission Project (Segments 4 through 11) to \$2,709 million (2016\$). <http://docs.cpuc.ca.gov/SearchRes.aspx?DocFormat=All&DocID=272614397>

A1903021 • 19-Mar-2019 • City of Fillmore

Application of the City of Fillmore to construct a new at-grade crossing at Trestle Way on the VCTC Santa Paula Branch Line MP 425.81 (Proposed CPUC Number 001BE-425.81; DOT Number 968 257L) which is a subproject of the Heritage Valley Park project, in the City of Fillmore, County of Ventura. <http://docs.cpuc.ca.gov/SearchRes.aspx?DocFormat=All&DocID=277270144>

A1903019 • 20-Mar-2019 • Suburban Water Systems of Suburban Water Systems (U339W) for Authority to Issue, Sell and Deliver its Series G First Mortgage Bonds Not Exceeding \$32,000,000 Principal Amount. <http://docs.cpuc.ca.gov/SearchRes.aspx?DocFormat=All&DocID=276911342>

A1903017 • 22-Mar-2019 • California High-Speed Rail Authority

Application of the California High-Speed Rail Authority for approval to construct one new underpass grade-separated crossing at Conejo Avenue, under two proposed high-speed rail tracks at CHSRA's MP (207.70), part of the proposed Conejo Avenue Underpass Structure which includes high-speed rail tracks over BNSF tracks crossing, located in the County of Fresno. <http://docs.cpuc.ca.gov/SearchRes.aspx?DocFormat=All&DocID=277270036>

A1903018 • 22-Mar-2019 • California High-Speed Rail Authority

Application of the California High-Speed Rail Authority to construct two proposed high-speed rail tracks and rail-rail grade separation at CHSRA's MP 207.88 crossing over BNSF's existing mainline and proposed tracks at MP 981.89 near Conejo Avenue, part of the proposed Conejo Avenue Underpass Structure located in the County of Fresno. <http://docs.cpuc.ca.gov/SearchRes.aspx?DocFormat=All&DocID=277270138>

A1808009 • 25-Mar-2019 • ALJ/FERGUSON/CPUC

Proposed Decision granting Hamilton NG911, Inc. a Certificate of Public Convenience and Necessity in order to provide limited facilities-based and resold competitive local exchange service and non-dominant interexchange service on a state-wide basis. Opening comments are due no later than April 14, 2019. Reply comments are due 5 days after the last day for filing opening comments. <http://docs.cpuc.ca.gov/SearchRes.aspx?DocFormat=All&DocID=275233072>

R1410003 • 25-Mar-2019 • ALJ/HYMES/CPUC

Proposed Decision adopting cost-effectiveness analysis framework policies for all distributed energy resources. Opening comments are due no later than April 14, 2019. Reply comments are due 5 days after the last day for filing opening comments. <http://docs.cpuc.ca.gov/SearchRes.aspx?DocFormat=All&DocID=274960797>

A1710004 • 25-Mar-2019 • ALJs/RIZZO/WILDGRUBE/CPUC

Proposed Decision adopting intrastate rates and charges, intrastate revenue requirement and rate design, and modifying selected rates for Foresthill Telephone Company. Opening comments are due no later than April 14, 2019. Reply comments are due 5 days after the last day for filing opening comments. <http://docs.cpuc.ca.gov/SearchRes.aspx?DocFormat=All&DocID=275248197>

A1411016 • 25-Mar-2019 • CMMR/GUZMAN ACEVES/CPUC

Alternate Proposed Decision of Commissioner Guzman Aceves granting intervenor compensation claim of Central Coast Alliance United for a Sustainable Economy for the judicial review proceeding. Opening comments are due no later than April 14,

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2019. Reply comments are due 5 days after the last day for filing opening comments. <http://docs.cpuc.ca.gov/SearchRes.aspx?DocFormat=All&DocID=275248202>

A1803015 • 25-Mar-2019 • CMMR/RANDOLPH/CPUC
Alternate Proposed Interim Decision of Commissioner Randolph granting interim rate relief and denying recovery of forecasted costs. Opening comments are due no later than April 14, 2019. Reply comments are due 5 days after the last day for filing opening comments. <http://docs.cpuc.ca.gov/SearchRes.aspx?DocFormat=All&DocID=275248203>

R1206013 • 26-Mar-2019 • ALJ/DOHERTY/CPUC
Proposed Decision Denying San Diego Gas & Electric Company's Petition for modification of Decision (D.) 15-07-001 and D.17-07-006. Adopting the petition would lead to rate increases for nearly all of San Diego Gas & Electric Company's residential customers and would not substantially address the problem it is purported to solve. Opening comments are due no later than April 15, 2019. Reply comments are due 5 days after the last day for filing opening comments. <http://docs.cpuc.ca.gov/SearchRes.aspx?DocFormat=All&DocID=274138156>

A1505002, A1505003, A1505004, A1505005 • 26-Mar-2019 • CMMR/RECHTSCHAFFEN/CPUC
Proposed Phase Two Decision adopting risk spending accountability report requirements and safety performance metrics for investor-owned utilities and adopting a safety model approach for small and multi-jurisdictional utilities. Opening comments are due no later than April 15, 2019. Reply comments are due 5 days after the last day for filing opening comments. <http://docs.cpuc.ca.gov/SearchRes.aspx?DocFormat=All&DocID=277022267>

R1407002, A1607015 • 26-Mar-2019 • ALJs/KAO/MCKENZIE/CPUC
Proposed Decision resolving application for rehearing and modifying Decision 16-01-044 regarding assessment of non-bypassable charges under net energy metering successor tariffs. Opening comments are due no later than April 15, 2019. Reply comments are due 5 days after the last day for filing opening comments. <http://docs.cpuc.ca.gov/SearchRes.aspx?DocFormat=All&DocID=277012630>

R1103013 • 26-Mar-2019 • CMMR/GUZMAN ACEVES/CPUC
Proposed Decision authorizing pilot programs of Boost Mobile, Inc. and iFoster, Inc. in the California Lifeline Program. Opening comments are due no later than April 15, 2019. Reply comments are due 5 days after the last day for filing opening comments. <http://docs.cpuc.ca.gov/SearchRes.aspx?DocFormat=All&DocID=276911298>

R1210012 • 26-Mar-2019 • CMMR/GUZMAN ACEVES/CPUC
Proposed Decision implementing the California Advanced Services Fund Line Extension Program provisions. Opening comments are due no later than April 15, 2019. Reply comments

are due 5 days after the last day for filing opening comments. <http://docs.cpuc.ca.gov/SearchRes.aspx?DocFormat=All&DocID=276978082>

A1903020 • 27-Mar-2019 • Pacific Gas and Electric Company
Application of Pacific Gas and Electric Company for Approval of Memorandum Account to Record and Track Incremental Costs of Implementing California Consumer Privacy Act of 2018. (U39E). <http://docs.cpuc.ca.gov/SearchRes.aspx?DocFormat=All&DocID=277245669>

A1903022 • 28-Mar-2019 • San Diego Gas & Electric Company
Application of San Diego Gas & Electric Company (U902M) and Southern California Gas Company (U904G) For Authority to Establish California Consumer Privacy Act Memorandum Accounts (AB375-CCPAMA) <http://docs.cpuc.ca.gov/SearchRes.aspx?DocFormat=All&DocID=277221645>

A1903023 • 29-Mar-2019 • Crimson California Pipeline, L.P.
In the Matter of the Application of Crimson California Pipeline L.P. (PLC26) for Authority to Increase Rates for Its Crude Oil Pipeline Services. <http://docs.cpuc.ca.gov/SearchRes.aspx?DocFormat=All&DocID=277270038>

About this publication

This monthly newsletter is to keep you informed of proposals by the CPUC's Commissioners and Administrative Law Judges, as well as utility applications, and other issues and work of note. We also include a list summarizing the filings at the CPUC in the previous month.

We want to hear from you! If you have topics you'd like us to cover or if you'd like to make comment on our proceedings or work, please contact us at outreach@cpuc.ca.gov or call (855) 421-0400. You can find information about events we are having at www.cpuc.ca.gov/Events.

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