

CONCURRENCE IN SENATE AMENDMENTS

AB 1410 (Garcia)

As Amended September 5, 2025

Majority vote

SUMMARY

Requires utilities, with specific exceptions made for publically owned electric utilities, to automatically enroll their customers in alerts related to service outages and related updates by March 1, 2026.

Senate Amendments

- 1) Sets a deadline of March 1, 2026 for electric utilities to implement the automatic enrollment in utility alert systems.
- 2) Creates exceptions for publicly owned electric utilities (POUs) that don't have the necessary system to implement auto-enrollment. These exceptions allow these POUs to (1) maximize automatic enrollment, (2) generate a plan to enroll customers in service alerts and (3), if deemed cost effective, implement the plan at the next significant system upgrade.
- 3) Lowers the requirement for mechanisms to update customer contact information from "the utility's internet website or by telephone" to "the utility's internet website or, if feasible, by telephone"
- 4) Defines qualifying utilities to include electrical corporations, locally publicly owned electric utilities, gas corporations and water corporations, as previously defined in code.

COMMENTS

Investor owned utilities (IOUs) are required to send notifications to customers on a specified schedule prior to expected de-energization, or Public Safety Power Shutoffs (PSPS), and until re-energization. These notifications are intended to give customers adequate warning to prepare in advance for a proactive de-energization, which the IOUs perform as a last resort when weather conditions could result in a devastating wildfire. Timely notification allow customers to prepare for potential outages and make necessary arrangements based on the information provided. January 2, 2025, Southern California Edison (SCE) initiated a PSPS event and de-energized 363,196 customer accounts. These accounts include 11,740 Medical Baseline customer accounts, 90,632 Access and Functional Needs customer accounts, and 6,800 critical facilities accounts. Fifteen days later, in the afternoon of January 17, 2025, SCE restored power to all customers. According to the Public Advocates Office, during the southern California fires in 2025, SCE failed to send 307,211 required notifications to Public Safety Partners, Critical Facilities and Infrastructure, and customers. Cal Advocates found the events in 2025 continued a pattern of failure of SCE to provide its customers with advance notification prior to de-energization. Starting in 2012, the CPUC has released protocols for utilities to follow during de-energization events. The first PSPS guidance released by the CPUC was specifically for SDG&E and required notification of customers. In 2018, the CPUC adopted Resolution ESRB-8, which extended the requirements of the 2012 guidance for SDG&E to all electric investor owned utilities. Among other provisions, the resolution required customer notifications prior to a de-energization event,

and required notification to the Safety and Enforcement Division once the de-energization decision is made, and within 30 minutes after the last service is restored.

In 2019, the CPUC implemented Phase 1 PSPS notification guidelines. The Commission stated that electric IOUs should, whenever possible, adhere to the following minimum notification timeline:

- 1) 48-72 hours in advance of anticipated de-energization: notification of public safety partners priority notification entities
- 2) 24-48 hours in advance of anticipated de-energization: notification of all other affected customers
- 3) 1-4 hours in advance of anticipated de-energization, if possible: notification of all affected customers
- 4) When de-energization is initiated: notification of all affected customers.
- 5) Immediately before re-energization begins: notification of all affected customers.
- 6) When re-energization is complete: notification of all affected customers.

In 2020, Phase 2 guidelines directed electric IOUs to provide enhanced customer-friendly communication during all phases of a PSPS event, minimize the impact on customers, and increase accountability with regional working groups and in reports. In 2021, Phase 3 guidelines were implemented and are ongoing. They require IOUs to take a results-based approach to improve notification and mitigate the impacts of PSPS events.

There has been a history of problems with PSPS notification systems across the IOUs since the initiation of these protocols. In 2021, the CPUC fined Pacific Gas & Electric (PG&E) \$106 million for violating guidelines during PSPS events in the fall of 2019. These violations included failures notifying many customers and public safety partners. In 2023, PG&E was fined \$8 million as a result of failing to notify *any* of its impacted customers during its 2020 PSPS events. These failures are not limited to PG&E. In 2020, Southern California Edison (SCE) initiated sixteen PSPS events and failed to notify 25,573 customers, resulting in a \$7 million fine. This was followed by twelve PSPS events initiated by SCE in 2021, during which SCE failed to send 232,719 notifications. SCE has had more severe notification failures – where high percentages of impacted customers never received a notice – than the other utilities.

According to the Public Advocates Office, in the 2023-2024 season, starting in October, SCE failed to meet customer notification requirements for as much as 79% of customers. In addition to the many fines implemented, many corrective actions have been required by all IOUs as a result of failed PSPS guideline compliance. The Center for Accessible Technology has suggested that few corrective actions have been effective at improving issues with SCE's notification systems.

All the large IOUs in the state of California have a notification system to contact account holders in the case of de-energization as outlined by the CPUC guidelines. As of April 12, 2025, PG&E automatically alerts its customers about outages that impact service and requires customers to opt-out of notifications. PG&E reports that its primary communications are regarding potential

outages, active outages and when power is restored. Both SCE and SDG&E have opt-in notification programs. This bill would mandate that all IOUs and other utilities maintain an opt-out notification system.

According to the Author

"My office received hundreds of complaints from constituents, who had their power shutoff during the January wildfires, without receiving any notice. They were left without power and without any idea of how long the shutoff may last. Customers being automatically opted-in to receiving updates from their utility companies, is a common sense practice and should be the standard. Unfortunately, too many utilities are operating from a reverse approach, where customers have the responsibility to opt themselves in to receive updates. AB 1410 ensures that everyone is able to prepare for future shutoffs by automatically opting customers in and regularly updating their preferred contact method."

Arguments in Support

None on file.

Arguments in Opposition

None on file.

FISCAL COMMENTS

According to the Assembly Committee on Appropriations, the bill will lead to negligible costs to the California Public Utilities Commission (CPUC).

VOTES:

ASM UTILITIES AND ENERGY: 18-0-0

YES: Petrie-Norris, Patterson, Boerner, Calderon, Chen, Davies, Mark González, Harabedian, Hart, Irwin, Kalra, Papan, Rogers, Schiavo, Schultz, Ta, Wallis, Zbur

ASM APPROPRIATIONS: 15-0-0

YES: Wicks, Sanchez, Arambula, Calderon, Caloza, Dixon, Elhawary, Fong, Mark González, Hart, Pacheco, Pellerin, Solache, Ta, Tangipa

ASSEMBLY FLOOR: 76-0-3

YES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

ABS, ABST OR NV: Bennett, Jeff Gonzalez, Nguyen

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