

Date of Hearing: July 16, 2025

ASSEMBLY COMMITTEE ON UTILITIES AND ENERGY

Cottie Petrie-Norris, Chair

SB 292 (Cervantes) – As Amended May 5, 2025

SENATE VOTE: 38-0

SUBJECT: Electricity: wildfire mitigation: deenergization events and reliability

SUMMARY: Requires the California Public Utilities Commission (CPUC) to consider additions to the annual reliability reports submitted by investor-owned utilities (IOUs). The bill requires IOUs to prepare a post-deenergization event report, generate a plan to support the functional needs population during deenergization, and requires publicly owned utilities to submit an annual reliability report.

Specifically, **this bill:**

- 1) Requires the CPUC to determine whether the annual reliability reports submitted by IOUs should include system- and division-level reliability, reliability statistics at census tracts or smaller
- 2) Requires IOUs to work with persons from the access and functional needs population to develop and make publicly available a plan to support this population during a deenergization event and submit the plan to the CPUC.
- 3) Requires an IOU to prepare a post-deenergization event report after each event that contains the time, place, and duration of the deenergization event, as well as the number of affected customers and the number of customers who receive a form of financial assistance.
 - a. Requires the CPUC to determine whether the post-deenergization event report should include either of geospatial data of the deenergization event and statistics describing the census tract-level impacts of the deenergization event
 - b. Requires the report to be provided to the locally elected body and the city manager or the chief administrative officer of the cities and counties affected by the deenergization event and must be updated and submitted by the California Energy Commission (CEC) annually.
- 4) A local publicly owned electric utility shall prepare and make publicly available on its internet website an annual reliability report equivalent to the report required to be prepared by IOUs and submitted to the CPUC.

EXISTING LAW:

- 1) Establishes the California Public Utilities Commission (CPUC) with regulatory authority over public utilities, including electrical corporations. (Article XII of the California Constitution)
- 2) Establishes the Office of Energy Infrastructure Safety (OEIS) is the successor to, and, effective July 1, 2021, is vested with, all of the duties, powers, and responsibilities of the Wildfire Safety Division within the CPUC established pursuant to Section 326 of the Public Utilities Code, including, but not limited to, the power to compel information and conduct investigations. (Government Code § 15475)
- 3) Requires every public utility to furnish and maintain adequate, efficient, just, and reasonable service, instrumentalities, equipment, and facilities, as are necessary to promote the safety, health, comfort, and convenience of its patrons, employees, and the public. (Public Utilities Code § 451)
- 4) Establishes the policy of the state that each electrical corporation is required to continue operating its electric distribution grid in its service territory and to do so in a safe, reliable, efficient, and cost-effective manner. (Public Utilities Code §399.2(a))
- 5) Authorizes the CPUC to supervise and regulate every public utility in the state and to do all things necessary and convenient in the exercise of such power and jurisdiction. (Public Utilities Code § 701)
- 6) Requires an electrical corporation to construct, maintain, and operate its electrical lines and equipment in a manner that will minimize the risk of catastrophic wildfire posed by those electrical lines and equipment. (Public Utilities Code § 8386 (a))
- 7) Requires electrical corporations, local electric publicly owned utilities (POUs), and electrical cooperatives to annually prepare wildfire mitigation plans (WMPs) that include, among other things, descriptions of protocols for disabling reclosers and deenergizing portions of the electrical distribution system that consider the associated impacts on public safety and protocols related to mitigating public safety impacts of disabling reclosers and deenergizing portions of the electrical distribution system. (Public Utilities Code § 8386 (b))
- 8) Requires a WMP of an electrical corporation to include, among other things, protocols for deenergizing portions of the electrical distribution system that consider the associated impacts on public safety, and protocols related to mitigating the public safety impacts of those protocols, including impacts on critical first responders and on health and communications infrastructure. (Public Utilities Code § 8386 (c)(6))
- 9) Requires a WMP plan of an electrical corporation to also include appropriate and feasible procedures for notifying a customer who may be impacted by the deenergizing of electrical lines and requires these procedures to consider the need to notify, as a priority, critical first responders, health care facilities, and operators of telecommunications infrastructure with premises within the footprint of a potential deenergization event. (Public Utilities Code § 8386 (c)(7))

- 10) Requires the WMPs of electrical corporations to identify circuits that have frequently been deenergized pursuant to a deenergization event to mitigate the risk of wildfire and the measures taken, or planned to be taken, by the electrical corporation to reduce the need for, and impact of, future deenergization of those circuits. (Public Utilities Code § 8386 (c)(8))
- 11) Requires the CPUC to require an electrical corporation to include in its annual reliability report information on the reliability of service to end-use customers that identifies the frequency and duration of interruptions of service. (Public Utilities Code § 2774.1)
- 12) Requires the CPUC to establish an expedited utility distribution undergrounding program. Requires large electrical corporations to participate in the program, to submit to the OEIS a distribution infrastructure undergrounding plan meeting certain requirements. (Public Utilities Code § 8388.5)

FISCAL EFFECT: According to the Senate Committee on Appropriations, the California Public Utilities Commission (CPUC) estimates one-time costs of \$257,000 (ratepayer funds) to determine whether post-deenergization reports should include more information than currently required by January 1, 2027, among other things.

CONSUMER COST IMPACTS: Unknown.

BACKGROUND:

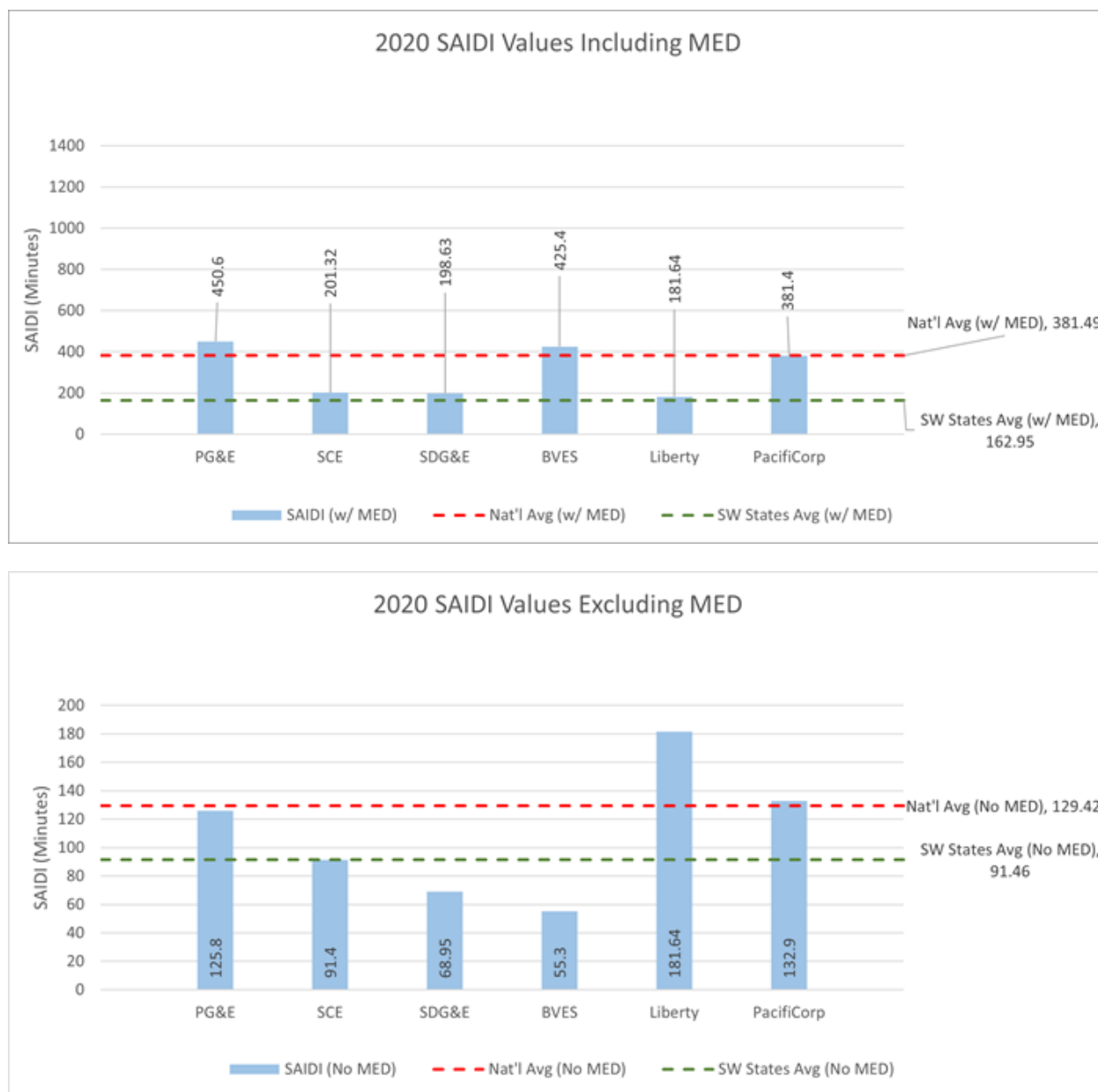
CPUC Reliability Reporting – Prior to 2016, mandated reliability reporting by the IOUs to the CPUC was at the system-level. This means information was aggregated for the entire electric service territory or system for each electric utility. Thus municipalities, businesses or homeowners who wanted reliability information that is specific to their location had trouble getting information at the level of the electrical circuit(s) that serve them. Utilities were able to remove days that the energy delivery system experienced stress beyond that normally expected from the threshold from their reliability indices calculations.¹

After 2016, CPUC Decision D.16-01-008 directs IOUs to annually prepare electric system reliability reports detailing the previous year's electric reliability on the system and division levels. These reports are submitted to the Energy Division annually on July 15th. These metrics are required to be reported with and without the inclusion of Major Event Days (MEDs). The threshold defining MEDs excludes all but the worst 0.63% of outage events, making MEDs low frequency, high consequence events. The cause of an outage has no bearing on whether it will be classified as an MED. Public Safety Power Shutoff (PSPS) events are considered MEDs only insofar as they exceed this statistically defined threshold. The 2020 reliability metrics for the state of California relative to the rest of the Southwest and nation are shown in Figure 1, including and excluding MED.²

¹ CPUC, Decision 16-01-008

² <https://www.cpuc.ca.gov/industries-and-topics/electrical-energy/infrastructure/electric-reliability/electric-system-reliability-annual-reports>, accessed July 6, 2025

Figure 1. 2020 SAIDI Values (Average total minutes of outage that a customer on the system experienced in the reporting year) including Major Event Days.³ 2020 SAIDI Excluding Major Event Days



Wildfire Mitigation Plans – Wildfire Mitigation Plans were initiated by the enactment of SB 1028 (Hill, Chapter 598, Statutes of 2016). These original Wildfire Mitigation Plans included, among other provisions, a description of preventative strategies and programs that can minimize

³ <https://www.cpuc.ca.gov/industries-and-topics/electrical-energy/infrastructure/electric-reliability/electric-system-reliability-annual-reports>, accessed July 6, 2025

risk of catastrophic wildfires. They were approved by the CPUC in June 2019 through the rulemaking process. Later in 2019, the Legislature revised the scope of the WMP to cover at least a three-year period,⁴ and divided oversight of the plans between OEIS (originally the Wildfire Safety Division housed under the CPUC) and the CPUC.⁵ OEIS is tasked with assessing safety; they evaluate if proposed actions in the WMP achieve the maximum feasible wildfire risk reduction.⁶ The CPUC is then tasked with reviewing cost; they evaluate if the cost of implementing each mitigation effort in the WMP is just and reasonable for purposes of cost recovery. The CPUC also has enforcement authority with regard to an IOU's progress and performance on their WMPs.

De-energization Notification Protocols Implemented by the CPUC – Starting in 2012, the CPUC has released protocols for utilities to follow during de-energization events. The first Public Safety Power Shutoff (PSPS) guidance released by the CPUC was specifically for SDG&E and required notification of customers.⁷ 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 (IOUs).⁸ 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.⁹ 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

⁴ AB 1054 (Holden, Chapter 79, Statutes of 2019)

⁵ AB 111 (Committee on Budget, Chapter 81, Statutes of 2019)

⁶ “Maximum feasible” means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors. Public Utilities Code § 326

⁷ CPUC, Decision 12-04-024 April 19, 2012

⁸ CPUC, Resolution ESRB-8, Electric Safety and Reliability Branch July 12, 2018

⁹ CPUC, Decision 19-05-042, May 30, 2019

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. They also include reporting requirements.

Current reporting requirements mandate that IOUs submit a report to the Director of Safety and Enforcement Division at the CPUC within 10 business days after each de-energization event. This also applies to high-threat events where the IOU provided notifications to local government, agencies, and customers of possible de-energization though no de-energization occurred. These reports include at a minimum the following information¹⁰:

- The local communities' representatives the IOU contacted prior to de-energization, the date on which they were contacted, and whether the areas affected by the de-energization are classified as Zone 1, Tier 2, or Tier 3 as per the definition in General Order 95, Rule 21.2-D.
- If an IOU is not able to provide customers with notice at least 2 hours prior to the de-energization event, the IOU shall provide an explanation in its report.
- The IOU shall summarize the number and nature of complaints received as the result of the de-energization event and include claims that are filed against the IOU because of de-energization.
- The IOU shall provide detailed description of the steps it took to restore power.
- The IOU shall identify the address of each community assistance location during a de-energization event, describe the location (in a building, a trailer, etc.), describe the assistance available at each location, and give the days and hours that it was open.

Southern California Fires of 2025 – On January 2, 2025, SCE initiated a PSPS event and de-energized 363,196 customer accounts.¹¹ These accounts include 11,740 Medical Baseline customer accounts, 90,632 Access and Functional Needs customer accounts, and 6,800 critical facilities accounts.¹² Fifteen days later, in the afternoon of January 17, 2025, SCE restored power to all customers.¹³ 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.¹⁴ Cal Advocates found that the events in 2025 continued a pattern of failure of SCE to provide its customers with advance notification prior to de-energization.

¹⁰ CPUC, Resolution ESRB-8, July 12, 2018

¹¹ Southern California Edison, January 2, 2025 to January 17, 2025, March 3, 2025 (SCE 25-1 Post-Event Data Workbook), Table 5.

¹² CPUC, Decision 19-05-042, May 30, 2019

¹³ SCE 25-1 Post-Event Data Workbook, Table 5.

¹⁴ Comments of the Public Advocates Office on Southern California Edison Company's Public Safety Power Shutoff Post-Event Report - January 2 TO 17, 2025, Rulemaking 18-12-005, March 18, 2025

COMMENTS:

- 1) *Author's Statement.* According to the author: "SB 292 plays a crucial role by providing detailed historical and natural disaster-related data on power outages, which is essential for developing robust resilience planning strategies. As a state, it is imperative that we gain a deep understanding of the complexities surrounding demographic and socioeconomic factors to effectively enhance our planning efforts. This comprehensive data will serve as a guiding light, allowing us to identify and prioritize investments in the most vulnerable areas and implement tailored local solutions that can offer critical support during disasters, outages, and crises. SB 292 aims to bridge the critical divide between utility reporting and community resilience planning. By doing so, it enables us to utilize outage data not merely as numbers, but as a meaningful lens through which we can better understand and address the far-reaching impacts of outage durations on our most vulnerable populations."
- 2) *Purpose of the Bill.* The inadequacies of communication and community outreach surrounding the deenergization events in Southern California this last January have led to significant scrutiny. The goal of the bill is to address PSPS protocols and reliability by first collecting more data after deenergization events occur. Some of the reporting included in the bill is already mandated by the CPUC on IOUs, as outlined above.
- 3) *Identifying the proper representative for the access and functional needs population.* The bill requires the IOUs to work with "persons from the access and functional needs population" to develop and make publicly available a plan to support them during a deenergization event. It is the committee's perspective that community organizations and state agencies that advocate for the functional needs community, which receive input from a broad and diverse population, are better suited to work with IOUs to generate this plan. *The Committee recommends changing the language to include such community organizations and state agencies.*
- 4) *Parity in reliability reporting between IOUs and POUs.* The author's goal is to gain better data regarding reliability. The bill puts reliability reporting for both IOUs and POUs into statute, with differences in the requirements. *Therefore, it is the committee's recommendation to mandate similar reporting requirements across IOU and POU territory in statute. The committee recommends adding language to this effect, while maintaining appropriate regulatory authority. The CPUC will make decisions regarding the content of these reports for IOUs and will collect them from the IOUs. The local governing body will make decisions regarding the content of these reports for their local POU, and the CEC will collect them from the POUs.*
- 5) *Additional Amendments.* *The bill requires additional clean-up or reorganization for clarity. The committee recommends accepting all of these changes.*
- 6) *Related Legislation.*

AB 1410 (Garcia, 2025) requires that all public utilities automatically enroll their customers in alerts for service outages and updates. Additionally requires public utilities

to provide both an opt-out provision to decline alerts, with exceptions, and the ability for customers to update contact information through email and telephone. Status: The bill is pending in the Senate Committee on Appropriations.

AB 825 (Petrie-Norris, 2025) proposes a range of policies affecting electrical corporations, specifically measures to address rising utility bills, including a prohibition on allowing electrical corporations to include \$15 billion in undergrounding capital investments in their rate base for purposes of earning equity returns; establishing a public financing mechanism to reduce costs associated with the development of eligible transmission projects; establishing a task force to review various customer demand side management programs; creating a local permitting program to provide incentives and a pool of experts to aide local agencies in siting clean energy projects; and revising wildfire mitigation planning. Status: The bill is pending in the Senate Committee on Energy, Utilities and Communications.

SB 254 (Becker, 2025), among others, includes various proposals to address electric utility bill affordability, including requirements to consider the time required to implement an action and the amount of risk reduced when electric utilities implement wildfire mitigation strategies. Status: The bill is pending in the Assembly Committee on Utilities and Energy.

SB 256 (Perez, 2025), among others, includes provisions related to addressing wildfire mitigation by electrical corporations. Status: The bill is pending in the Assembly Committee on Utilities and Energy.

SB 332 (Wahab, 2025), among others, includes provisions requiring the consideration of undergrounding electrical infrastructure IOUs wildfire mitigation plan. Status: The bill is pending in the Assembly Committee on Utilities and Energy.

SB 559 (Stern, 2025) requires electrical corporations to provide specified notifications of deenergization events related to mitigating wildfire ignition risks, and requires specified reporting to, and oversight by, the CPUC. Status: The bill was held in the Senate Appropriations Committee.

SB 797 (Choi, 205) requires the CPUC to establish a working group and develop a report related to wildfire mitigation. Status: The bill was held in the Senate Appropriations Committee.

7) *Past Legislation.*

SB 1003 (Dodd, 2024) modified timelines relevant to the wildfire mitigation plans by electrical corporations and requires the electrical corporations to take into account both the time required to implement an action and the amount of risk reduced for the costs and risk remaining. Status: The bill was held on the Assembly Floor.

SB 884 (McGuire) required the CPUC to establish an expedited electric utility distribution infrastructure undergrounding program for large electrical corporations. Status: Chapter 819, Statutes of 2022

SB 533 (Stern) required electrical corporations to identify circuits that have frequently been deenergized to mitigate the risk of wildfire and the measures taken to reduce the need for future deenergization of those circuits, as specified. Status: Chapter 244, Statutes of 2021

AB 1054 (Holden) included numerous provisions related to addressing wildfires caused by electric utility infrastructure, including: bolstering safety oversight and processes, recasting recovery of costs from damages to third-parties, including the authorization for an electrical corporation and ratepayer jointly funded Wildfire Fund to address future damages. Status: Chapter 79, Statutes of 2019

SB 167 (Dodd) required electrical corporations to include impacts on customers enrolled in specified programs as part of the protocols for deenergizing portions of their distribution system within their WMP. Status: Chapter 403, Statutes of 2019

SB 901 (Dodd) addressed numerous issues concerning wildfire prevention, response and recovery, including funding for mutual aid, fuel reduction and forestry policies, WMP by electric utilities, and cost recovery by electric corporations of wildfire-related damages. Status: Chapter 626, Statutes of 2018

SB 1028 (Hill) required electric CPUC-regulated utilities to file annual WMPs and requires the CPUC to review and comment on those plans. Status: Chapter 598, Statutes of 2016

REGISTERED SUPPORT / OPPOSITION:

Support

Easterseals Northern California

Oppose

None on file.

Oppose Unless Amended

Pacific Gas and Electric Company
San Diego Gas and Electric Company
Southern California Edison

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