
**SENATE COMMITTEE ON ENERGY, UTILITIES AND
COMMUNICATIONS**

**Senator Josh Becker, Chair
2025 - 2026 Regular**

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| Bill No: | SB 292 | Hearing Date: | 4/29/2025 |
| Author: | Cervantes | | |
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| Urgency: | No | Fiscal: | Yes |
| Consultant: | Nidia Bautista | | |

SUBJECT: Electricity: wildfire mitigation: deenergization events and undergrounding plans

DIGEST: This bill requires specified data reporting by electrical corporations, local publicly owned utilities, and electric cooperatives concerning deenergization events and reliability reports.

ANALYSIS:

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 operate 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)

This bill:

- 1) Requires electrical corporations, local electric POUs, and electrical cooperatives to work with persons from the access and functional needs population, as defined, to develop and make publicly available a plan to support that population during deenergization events.
- 2) Requires electrical corporations, local electric POUs, and electrical cooperatives, after each deenergization event, to prepare a report containing certain information related to the deenergization event, as provided, and requires the report to be provided to the locally elected body and specified individuals of the cities and counties affected by the deenergization event. Imposes a state-mandated local program by imposing additional duties on local agencies.
- 3) Requires local electric POUs to prepare annual reliability reports that are equivalent to those prepared by an electrical corporation.
- 4) Requires the reliability report prepared by electrical corporations and local electric POUs to include specified information, including, among other things, system- and division-level reliability and reliability statistics at census tracts or smaller resolutions. Imposes a state-mandated local program by imposing additional duties on local agencies.
- 5) Requires OEIS to publish the undergrounding plan on its internet website.

Background

California wildfire and electric utility infrastructure. Electrical equipment, including downed power lines, arcing, and conductor contact with trees and grass, can act as an ignition source. Risks for wildfires also increased with the extended drought and bark beetle infestation that has increased tree mortalities and, as a result, increased the fuel, and risk for wildfires. In recent years, California has

experienced a number of catastrophic wildfires, including several ignited by electrical utility infrastructure.

Deenergizing electric lines. Generally, electric utilities attempt to maintain power and ensure continued reliability of the flow of electricity. However, catastrophic fires in recent years have demonstrated the risk of ignition by electric utility infrastructure can pose great damage and loss of life, perhaps greater than the risks of turning off the power to certain electrical circuits. As a safety consideration, electric utilities have the ability and authority to deenergize electric lines in order to prevent harm or threats of harm. However, deenergizing electric lines can result in the loss of electricity to households, businesses, traffic signals, communication systems, water treatment facilities, emergency services and other critical which can also cause harm, as well as, economic impacts to residents and businesses. Therefore, efforts to deenergize electric lines must consider the potential harm of the energized lines causing a wildfire against the safety hazards associated with eliminating electricity to the areas served by the line(s).

History with power shutoffs. Utilities have increasingly utilized proactive power shutoffs as a tool to prevent sparking ignitions. The practice of proactively deenergizing electric circuits to prevent catastrophic wildfire began by San Diego Gas & Electric (SDG&E) after several electric utility infrastructure-ignited catastrophic fires in 2007. Proactive power shutoffs were one of the many measures SDG&E implemented to reduce the risk of fire ignited by its infrastructure (other measures included installing steel poles and expanding ground and aerial inspections). Although the use of proactive power shutoffs were met with opposition and concerns about its use by communities, ultimately the CPUC acknowledged SDG&E's authority to deenergize lines in order to protect public safety, noting this authority in Public Utilities Code §451 and §399.2. Since then, the practice has also been expanded and adopted by the state's two largest electric utilities – Pacific Gas & Electric (PG&E) and Southern California Edison (SCE), as well as, the smaller investor-owned electric utilities (IOUs) and exploration by POU's.

Oversight of proactive power shutoffs. The CPUC adopted protocols for deenergizing electric lines with a focus on who should receive notice and when; who should be responsible for notification; how different customer groups should be identified; the information that should be included in notifications in advance of and directly preceding a deenergizing event; the methods of communication; and how the IOUs should communicate and coordinate with public safety partners before, during, and after an event. The CPUC is working with the Office of Emergency Services (OES), Cal FIRE, and first-responders to address potential impacts of utility deenergization practices on emergency response activities,

including evacuations. The CPUC is also monitoring the development and continuously assessing implementation of deenergization programs by utilities, including performing a review of deenergization events. In adopting the initial protocols, the CPUC commissioners expressed a desire that the power shutoffs would only be used as a “last resort” by the utilities. However, the use of proactive power shutoffs by electric utilities became widespread and increased concerns that the practice is relied upon more frequently than a last resort. In some instances, deenergization events overlap and result in customers experiencing extended days with loss of power.

Wildfire Mitigation Plan. As a result of SB 1028 (Hill, Chapter 598, Statutes of 2016), and further expanded by SB 901 (Dodd, Chapter 626, Statutes of 2018) and AB 1054 (Holden, Chapter 79, Statutes of 2019), electric IOUs are required to file WMPs with guidance by OEIS (as of 2021). OEIS reviews and determines whether to approve these plans and ensures compliance with guidance and statute. The electric IOUs’ WMPs detail, describe and summarize electric IOU responsibilities, actions, and resources to mitigate wildfires. These actions include plans to harden their system to prevent wildfire ignitions caused by utility infrastructure, such as widespread electric line replacement with covered conductors designed to lower wildfire ignition, pole replacement, and other actions. The plans also include information regarding the electric IOUs’ efforts to conduct extensive vegetation management to reduce the risk of tree branches, grasses, and other vegetation from coming into contact with utility infrastructure. The WMPs also require electric utilities to incorporate their protocols and procedures for proactive power shutoffs as required by CPUC rules.

Proactive power shutoff protocols. Over several years, the proactive power shutoff protocols have evolved via CPUC oversight and various CPUC decisions. The protocols include specified requirements related to advance planning with public safety partners and local governments, as well as, specified notifications to customers prior to, during, and after deenergization events. The protocols also require specified actions to address the public safety impacts for critical facilities and access and functional needs populations, among others. The CPUC and Legislature have exercised continued oversight of the utilities’ practices with the goal of minimizing the use of power shutoffs and accelerating wildfire mitigation to reduce risks of the electrical infrastructure igniting fires. However, proactive power shutoffs continue to be a tool in the electric utility’s toolbox to mitigate wildfire ignition risks. Currently, CPUC notifications require specified timing of notifications to customers and an extended (and continually evolving) list of public safety partners and critical facilities, including emergency services, government facilities, medical facilities, energy facilities, drinking water and wastewater

treatment facilities, communications facilities, and others. The protocols require electric IOUs to, whenever possible, adhere to minimum notification timelines.

January 2025 Santa Ana wind events. This January, with expected severe Santa Ana winds, low-humidity, high vegetation growth from previous wet winters, and dry conditions due to delayed precipitation, Southern California was at high risk for wildfires. Additionally, aerial fire suppression was limited by the extreme winds, which included gusts approaching 100 mph in some areas. Both SCE and SDG&E executed proactive power shutoffs in their service territory as a public safety measure. In the case of SCE, the proactive power shutoffs resulted in extended outages throughout their service territory impacting upwards of 500,000 plus customer accounts (affecting many times more individuals) between January 2 through January 27, including two separate (and, in some cases overlapping) events. These deenergization events coincided with several wildfires in the area, including two large catastrophic fires, the Palisades Fire and the Eaton Fire (fire investigations as to the cause of these fires are still in process, ignition cause has not been determined). Based on SCE's post-event reports, the proactive power shutoffs were the largest number of affected customers since the tool had been deployed and likely the largest in duration. These events resulted in many frustrations for customers and local governments as the utility's execution of the proactive power shutoffs seems to have been greatly challenged by the scale and duration of the events (official CPUC oversight and review of these events is in process) with reports that their website crashed, inadequate notifications to customers, inability of some local governments to reach a utility point person, and inaccurate maps displayed at times on their websites. SCE also adjusted their operational thresholds in the midst of the events due to the evolving conditions which resulted in many customers unexpectedly experiencing proactive power shutoff without any advance notification. SCE's post-event reports also indicated nearly 100 incidents of damage on deenergized facilities that, if they had been energized, could have been a significant risk to igniting wildfires.

Comments

Need for this bill. According to the author's office,

The bill is designed to furnish valuable insights into affected communities through a process of community-engaged vulnerability analysis and mitigation initiatives. By assessing energization events and collecting relevant data proactively, we can take pre-emptive measures to address potential crises. Our state must grasp the risks that its diverse communities face regarding power outages to pursue innovative and effective resilience solutions.

It is particularly important to highlight that individuals across different income levels and privilege spectrums—especially those who have been historically marginalized and low-income—are disproportionately affected by outages. These communities often deal with overlapping vulnerabilities such as inadequate infrastructure, limited access to resources, and social isolation, which can severely impede their ability to recover from disasters.

January 2025 power shutoffs and author's desire for more data. The proactive power shutoffs executed by SCE in January left customers across their service territory without power and, in some cases, without advanced notification. The author's office notes their district was among the very hard-hit, as power was shutoff for nearly a week in areas that had never experienced proactive power shutoffs. This bill attempts require additional data to better understand the impacts of these power shutoffs and other power outage events. While the data can be useful, it is not clear how disruptive or feasible the additional requirements would be to the existing reliability reporting already required or the post-event deenergization reporting. *In this regard, the author and committee may wish to amend the language in this bill:*

- *Concerning the reliability report to require the CPUC and post-deenergization event reporting to require the CPUC, in each case, in a new or existing proceeding, consider whether the specific information should be additional requirements placed on the electrical corporations' annual reliability reports or deenergization post-event reports, respectively.*
- *Delete the references to the local publicly owned electric utilities and electrical cooperatives in Section 2 and recast the language to make clear it is consistent with the existing deenergization protocols adopted by the CPUC.*
- *Delete Section 4 of the bill concerning the expedited undergrounding program.*
- *With regards to Section 5, make clear the publicly owned utilities may include information that is relevant to their service territory.*

Prior/Related Legislation

SB 254 (Becker) of the current legislative session, 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. The bill is pending in this committee.

SB 256 (Perez) of the current legislative session, includes various provisions related to addressing wildfire mitigation by electrical corporations. The bill is pending in this committee.

SB 332 (Wahab) of the current legislative session, includes various proposals, including consideration of underground of electrical infrastructure within an electrical corporation's wildfire mitigation plan. The bill is pending in the Senate Appropriations Committee.

SB 559 (Stern) of the current legislative session, 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. The bill is pending in the Senate Appropriations Committee.

SB 797 (Choi) of the current legislative session, requires the CPUC to establish a working group and develop a report related to wildfire mitigation. The bill is pending in this committee.

SB 1003 (Dodd) of 2024, would have 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. The bill was held on the Assembly Floor.

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

SB 533 (Stern, Chapter 244, Statutes of 2021) 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.

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

SB 167 (Dodd, Chapter 403, Statutes of 2019) 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.

SB 901 (Dodd, Chapter 626, Statutes of 2018) 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.

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

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

SUPPORT:

None received

OPPOSITION, unless amended:

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

ARGUMENTS IN SUPPORT: 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.

ARGUMENTS IN OPPOSITION: PG&E, SCE, and SDG&E state:

The bill's expanded reporting requirements would be created outside established processes at the Commission that allow for deliberate development and adoption of standards based on feedback from interested stakeholders. Implementing SB 292's provisions would require the Commission to reopen these proceedings and would necessitate collection and consideration of substantial stakeholder feedback, creating additional administrative burdens for utilities, stakeholders, and the Commission, and new investments in data systems by utilities, inevitably increasing customer costs.

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