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

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

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<b>Bill No:</b>	AB 1410	<b>Hearing Date:</b>	7/1/2025
<b>Author:</b>	Garcia		
<b>Version:</b>	6/17/2025 Amended		
<b>Urgency:</b>	No	<b>Fiscal:</b>	Yes
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**SUBJECT:** Utilities: service outages and updates: alerts

**DIGEST:** This bill requires most electric and gas utilities, and some water utilities to automatically enroll their customers in alerts related to service outages and related updates.

**ANALYSIS:**

Existing law:

- 1) Establishes and vests the California Public Utilities Commission (CPUC) with regulatory authority over public utilities, including electrical corporations, gas corporations, and water corporations. (Article XII of the California Constitution)
- 2) Requires the CPUC to determine and, by order or rule, fix the rules, practices, equipment, appliances, facilities, service, or methods to be observed, furnished, constructed, enforced, or employed, if the CPUC finds after a hearing that the rules, practices, equipment, appliances, facilities, or service of any public utility, or the methods of manufacture, distribution, transmission, storage, or supply employed by the public utility, are unjust, unreasonable, unsafe, improper, inadequate, or insufficient, the Public Utilities Act. (Public Utilities Code §451)
- 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 a wildfire mitigation plan (WMP) 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))

This bill:

- 1) Requires each electrical corporation, gas corporation, water corporation, or local electric publicly owned utility (POU) to automatically enroll its customers in alerts for service outages and updates.
- 2) Requires the customers to be provided with the opportunity to opt-out of any alerts they do not wish to receive, except for required safety and emergency alerts.
- 3) Requires each of those utilities to annually provide information on customers' bills on how to update their preferred contact methods and to allow customers to update their contact information on each utility's internet website or by telephone.
- 4) Imposes a state-mandated local program by imposing new duties on local electric POUs.

## **Background**

*January 2025 Santa Ana wind events.* This past 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 Southern California Edison (SCE) and San Diego Gas & Electric (SDG&E) executed proactive power shutoffs in their service territory as a public safety measure. Other utilities, including Los Angeles Department of Water and Power, Pasadena Water and Power had to shutoff electric and water service in some parts of their service territories due to damage and safety concerns related to the fires. 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 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 de-energized facilities that, if they had been energized, could have been a significant risk to igniting wildfires.

*Oversight of proactive power shutoffs.* The CPUC adopted protocols for de-energizing 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 de-energizing 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, CalFire, and first-responders to address potential impacts of utility de-energization practices on emergency response activities, including evacuations. The CPUC is also monitoring the development and continuously assessing implementation of de-energization programs by utilities, including performing a review of de-energization 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, de-energization events overlap and result in customers experiencing extended days with loss of power.

*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 de-energization 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 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/populations.
- 3) 1-4 hours in advance of anticipated de-energization, if possible: notification of all affected customers/populations.
- 4) When de-energization is initiated: notification of all affected customers/populations.
- 5) Immediately before re-energization begins: notification of all affected customers/populations.
- 6) When re-energization is complete: notification of all affected customers/populations.
- 7) When a Public Safety Power Shutoff (PSPS) [de-energization event] event is cancelled: Each electric IOU must make every attempt to provide notification of the cancellation of a PSPS event, or removal from scope, by notifying all affected entities, including public safety partners, within two hours of the decision to cancel.

## Comments

*Need for this bill.* The author's office shared that their district was not directly affected by the wildfires, but their constituents were heavily impacted by the high winds and power shutoffs. They relay that they received countless complaints

about the shutoffs, with many reporting they did not receive any direct update prior to losing power or any information about how long they would be impacted. In learning more about SCE's shutoff notice process they learned that customers are often opted out from typical updates due to a number of complaints regarding receiving too many general updates. Instead, customers must opt-in to receive updates. The author believes public utilities should be operating from an approach where customers are automatically receiving alerts regarding service outages, unless the customer opts out.

*Requiring utilities to send customers alerts concerning service outages, unless the customer opts out.* The large electric corporations have a notification system to contact the customer of record in the case of de-energization as outlined by the CPUC protocols for de-energization. Pacific Gas & Electric (PG&E) automatically alerts its customers about outages that impact service and requires customers to opt-out of notifications. Both SCE and SDG&E have opt-in notification programs. This bill would mandate that all electric, gas, and water corporations and electric local public utilities provide an opt-out customer notification system concerning service outages.

*Potential challenges.* The loss of essential service, particularly for an extended outage, can be frustrating for customers. This can be compounded when information about the status of the outage is not available. As noted above, SCE lowered their threshold for de-energizing their lines during the fire and wind events in January. As a result, many customers experienced outages with no advanced notification. Additionally, SCE's website experienced some challenges concerning accurate and up-to-date information regarding the outages. This bill aims to help address these issues by requiring all customers are automatically enrolled in outage alerts. Utilities may not be able to provide these alerts if customer's contact information is not current or provided by the customer. Additionally, as the use of wireless emergency alerts has gained growing use for many public safety messages (such as earthquakes, fires, etc.), and residents receive a growing number of alerts from both solicited and unsolicited entities, it's possible customers may have a strong reaction to receiving alerts from utilities (or may consider them spam). This bill requires the utilities to provide customers the opportunity to opt-out and to ensure customers have the opportunity to update their preferred mode of communication (annually, if necessary). Additionally, it's important to note that this bill only applies to most electric utilities, the majority of gas utilities, and only a small fraction of water utilities in the state.

*Amendments needed.* The affected utilities may need additional time to prepare their systems to begin automatically enrolling customers in alerts, **the author and**

*committee may wish to require these alerts beginning March 1, 2026 so as to ensure utilities have sufficient time to prepare their systems.* An amendment is needed to clarify that local electric POUs are not corporations. *The author and committee may wish to amend the reference to local electric POUs and delete the reference to “corporation” in reference to them.*

### **Prior/Related Legislation**

SB 256 (Perez) of 2025, includes related provisions requiring electrical corporations to allow customers who are not the customer of record to subscribe to receive notifications concerning service outages. The bill is pending in the Assembly Committee on Utilities and Energy.

SB 292 (Cervantes) of 2025, includes specified reporting by electric utilities of de-energization events and annual reliability reports. The bill is pending in the Assembly Utilities and Energy Committee.

SB 559 (Stern) of 2025, requires electrical corporations to provide specified notifications of de-energization events related to mitigating wildfire ignition risks, and requires specified reporting to, and oversight by, the CPUC. The bill is pending in the Assembly Utilities and Energy Committee.

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 de-energizing portions of their distribution system within their WMP.

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

### **SUPPORT:**

None received

### **OPPOSITION:**

None received

**ARGUMENTS IN SUPPORT:** 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.

**-- END --**