

# MONTEREY COUNTY

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June 8, 2020

Senator Anthony Portantino, Chair  
Senate Appropriations Committee  
State Capitol, Room 2206  
Sacramento, California 95814

**RE: SB 862 (Dodd): Planned power outage: public safety. – SUPPORT**

Dear Senator Portantino:

I write today on behalf of the Monterey County Board of Supervisors to express our support for SB 862 (Dodd), which would clarify that the provisions of the Emergency Services Act apply to deenergization events as defined. The bill would require Investor Owned Utilities to coordinate with local governments to establish Community Resource Centers to provide assistance during a deenergization, and the bill would also expand wildfire mitigation plan protocols for deenergization to address the needs of Access & Functional Needs (AFN) individuals.

In an environment of climate change the risk of California wildfires is growing. Despite the growing risk of wildfire, electric utilities have an obligation to serve, and must construct and operate electric transmission and distribution systems in areas of high wildfire risk. That electrical equipment can be a source of wildfire ignition during extreme weather events.

Electrical corporations are required to prepare and submit to the Public Utilities Commission a wildfire mitigation plan. That plan, among other things, must include protocols for deenergizing portions of their electrical transmission and distribution system when weather conditions and associated factors indicate it is in the interest of public safety to do so.

Deenergization of electrical equipment creates certain risks of its own. Among those risks is the interruption of power needed to operate life support equipment, as well as to support the needs of individuals with physical or intellectual disabilities. Deenergization protocols are intended to set forth how each electrical corporation shall address the risks created by deenergization events.

The Emergency Services Act (ESA) is intended to mitigate the effects of natural, manmade, or war-caused emergencies that result in conditions of disaster or in extreme peril to life, property, and the resources of the state, and generally to protect the health and safety and preserve the lives and property of the people of the state. Under the ESA, an emergency proclamation provides extraordinary police powers; immunity for emergency actions; authorizes issuance of orders and regulations; activates pre-established emergency provisions; and is a prerequisite for requesting state or federal assistance. The ESA also makes provision for a governing body of a city, county, or city and county to seek financial assistance to mitigate disaster impacts, through the California Disaster Assistance Act (CDAA).

Community Resource Centers (CRCs) are temporary facilities that provide basic resources, such as restroom facilities, charging for electronic devices, water and snacks, WiFi where available, and information about the ongoing deenergization event to residents who have lost power. CRCs are generally open during daylight hours and staffed by utility employees. During the deenergization events of 2019, CRCs were only open for limited hours, were not located conveniently to the impacted populations they were intended to serve, and in some cases, had limited backup power. Utilities failed to coordinate with local governments on all aspects of a CRC.

SB 862 broadens the deenergization protocol requirements included in wildfire mitigation plans by requiring those protocols also address the needs of AFN individuals during an outage. Additionally, for purposes of this Act, the bill defines AFN individuals as those having developmental or intellectual disabilities, physical disabilities, chronic conditions, injuries, limited English proficiency or who are non-English speaking, seniors, children, people living in institutionalized settings, or those who are low income, homeless, or transportation disadvantaged.

Second, the bill clarifies the term “sudden and severe energy shortage,” as used in the ESA, includes a deenergization event. It also specifies that a deenergization event begins from the time a utility issues a notice of a possible upcoming outage and ends when power is restored and the notice is rescinded.

Lastly, The bill requires an IOU to coordinate with local governments to site community resource centers and ensure that they are operable 24 hours a day with backup generation for the duration of a deenergization event if a local emergency official deems that necessary.

For these reasons, Monterey County supports SB 862 (Dodd). Should you have any questions, please feel free to contact Monterey’s Public Policy Advisor, Ashley Walker of Nossaman LLP at 916-442-8888.

Sincerely,

**DRAFT**

Chris M. Lopez  
Chair, Board of Supervisors

CC: Members, Senate Appropriations Committee  
Ashley Ames, Consultant, Senate Appropriations Committee  
Hon. Bill Monning, 17<sup>th</sup> Senate District  
Hon. Anna Caballero, 12<sup>th</sup> Senate District  
Hon. Mark Stone, 29<sup>th</sup> Assembly District  
Hon. Robert Rivas, 30<sup>th</sup> Assembly District  
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