



P.O. Box 3144
Los Altos, CA 94024
www.citiesassociation.org
408-766-9534

April 13, 2020

The Honorable Scott Weiner
Member, California State Assembly
State Capitol, Room 5100
Sacramento, CA 95814

Subject: SB 378 (Wiener) – Limiting Planned Blackouts

Dear Senator Wiener,

On behalf of the Cities Association of Santa Clara County, we would like to express our support for your bill, SB 378, which will put in place reasonable, commonsense mechanisms to ensure that utilities are pursuing planned blackouts with adequate prudence, as well as minimize the negative consequences of blackouts on local communities. Over the long term, SB 378 will also help incentivize utilities to upgrade critical infrastructure by taking away the “blank check” to pursue planned blackouts indefinitely.

In an age of increasing wildfire risk, utilities are beginning to authorize increased numbers of planned blackouts in rural, suburban, and even urban communities in order to eliminate the risk that the utility’s power lines and other equipment will ignite a fire. These planned blackouts (also known as “de-energization events” and “Public Safety Power Shutoffs,” or PSPS) usually occur during a period of elevated fire risk – such as when wind speeds are unusually high – and can last for days on end. Used judiciously, these blackouts can be a valuable tool in preventing catastrophic wildfires.

Unfortunately, while this arrangement allows the utility to avoid liability for any wildfires that faulty equipment would have otherwise caused, and may reduce fire risk in some circumstances, it also creates safety risks for those who rely on a regular supply of electricity. Small businesses that store refrigerated food, people that rely on rechargeable oxygen tanks and other medical equipment, and infants and seniors trying to survive the summer heat – to name just a few – all need a steady supply of electricity to survive and prosper. To make matters worse, the brief notification period (often as short as 24 hours) before a planned blackout can prove inadequate to fully prepare.

SB 378 will put in place reasonable reforms to both help prevent and mitigate the impact of planned blackouts moving forward. Specifically, this measure will:

- Require that the California Public Utilities Commission create a process by which businesses, individuals, and local governments can recover costs accrued during a planned blackout (for example, by damaging equipment turned off too quickly) from the utility within a set timeframe.
- Promote better collection of data on utility equipment in order to assess risk level beforehand, as well as require reporting on the consequences of planned blackouts after the fact.


- Level hourly fees on utility shareholders during planned blackouts (\$250,000 per 50,000 customers affected per hour) that are found by the CPUC to be neither reasonable nor prudent, and ensure that customers cannot be billed for transmission, distribution, and other costs during a planned blackout, in addition to a stipulation that a utility cannot profit from a planned blackout (through changing electricity prices, for example) if the CPUC determines that the blackout was unreasonable or imprudent.

SB 378 will help push the utilities toward prioritizing infrastructure upgrades and safety measures over simply turning off the lights when convenient. Together, these reforms will guarantee that planned blackouts are judicious, targeted, and rare.

Sincerely,



Larry Klein
President
Mayor, City of Sunnyvale



Neysa Fligor
Chair, Legislative Action Committee
Vice-Mayor, City of Los Altos

cc: Assemblymembers Kalra, Chu, Berman, Low, Rivas, Stone
Senators: Wieckowski, Beall, Hill, Monning

About: The Cities Association of Santa Clara County is a collaboration of the fifteen cities of the county and addresses pressing issues of mutual interest for our region. The Association is comprised of the elected representatives of over 1.9 million Bay Area residents. Our diverse community includes cities with a few thousand residents to a large city with a million people. Finding consensus and solutions remains our goal.