

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



March 8, 2024

E20220901-01

[REDACTED]
Manager – Electric Assets & Compliance
San Diego Gas and Electric Company
[REDACTED]

Dear [REDACTED]:

The Safety and Enforcement Division (SED) of the California Public Utilities Commission (CPUC) submits the following **Notice of Violation (NOV)** as part of its investigation of an incident that occurred on August 31, 2022, at Dulzura. This incident resulted in the Border 32 Fire, which burned 4456 acres, deenergized 317 customers, and caused \$154,306.06 in damage to utility equipment.

SED found two instances in which San Diego Gas and Electric Company (SDG&E) violated GENERAL ORDER 95.

Please provide a response to the violation(s) within 30 calendar days. Include all corrective actions and preventive measures taken by SDG&E to remedy and prevent the recurrence of such violation(s). If you have any questions concerning this NOV, please contact Chris Lee at 415-602-6477 or by email at chris.lee@cpuc.ca.gov.

Sincerely,

Anthony Noll, Program Manager
Wildfire Safety and Enforcement Branch
Safety and Enforcement Division

Enclosure

CC:
Lee Palmer, Director
Safety and Enforcement Division

Chris Lee, Senior Utilities Engineer
Wildfire Safety and Enforcement Branch

Violations

General Order 95, Rule 19 - Cooperation with Commission Staff; Preservation of Evidence Related to Incidents Applicability of Rules states in part:

“Each utility shall provide full cooperation to Commission staff in an investigation into any major accident (as defined in Rule 17) or any reportable incident (as defined in CPUC Resolution E-4184), regardless of pending litigation or other investigations, including those which may be related to a Commission staff investigation. Once the scene of the incident has been made safe and service has been restored, each utility shall provide Commission staff upon request immediate access to:

- o Any factual or physical evidence under the utility or utility agent’s physical control, custody, or possession related to the incident...”*

Violation 1

WSEB’s investigation determined that SDG&E did not properly preserve evidence related to the Incident, when it gathered some of the damaged poles, cut them up into segments, and stacked them on top of one another in a container, which prohibited SED from accessing and identifying the damaged poles. Further, SDG&E did not properly preserve evidence related to the Incident when it gathered and stored unidentified segments of wires. In addition, SDG&E’s failure to properly preserve the evidence related to the Incident prohibited SED from evaluating the original damage to the poles and wiring due to the Incident. As a result, WSEB found SDG&E in violation of General Order 95, Rule 19 for failure to preserve and store evidence in a manner as to provide SED access to inspect and evaluate the evidence.

General Order 165 Part III(C) states in part:

“The utility shall maintain records for (1) at least ten (10) years of patrol and detailed inspection activities, ...

For all inspections records shall specify the circuit, area, facility or equipment inspected, the inspector, the date of the inspection, and any problems (or items requiring corrective action) identified during each inspection, as well as the scheduled date of corrective action.”

Violation 2

WSEB’s investigation determined that SDG&E did not maintain annual patrol inspection records in the SAP System for some of its poles, and that it did not specify the equipment inspected in its patrol inspection records in 2018. As a result, WSEB found SDG&E in violation of General Order 165 Part III(C) for the failure to maintain patrol inspection records and the failure to specify the equipment inspected.