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**FILED**  
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**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Order Instituting Rulemaking Regarding Policies, Procedures and Rules for Regulation of Physical Security for the Electric Supply Facilities of Electrical Corporations Consistent with Public Utilities Code Section 364 and to Establish Standards for Disaster and Emergency Preparedness Plans for Electrical Corporations and Regulated Water Companies Pursuant to Public Utilities Code Section 768.6.

Rulemaking 15-06-009

**ADMINISTRATIVE LAW JUDGE'S RULING ON SETTING OF PREHEARING CONFERENCE FOR PHASE II AND REQUEST FOR PREHEARING CONFERENCE STATEMENTS FOR PHASE II**

NOTICE IS HEREBY GIVEN that a prehearing conference for Phase II is set for 10:00 a.m. on March 15, 2018 in the Commission's Hearing Room, 505 Van Ness Avenue, San Francisco, California, 94102. The prehearing conference will address the status, scope and schedule for Phase II of this proceeding. It will also establish any changes needed to the service list and address other procedural issues as they arise.

**1. Background**

On June 11, 2015, the Commission approved an Order Instituting Rulemaking to establish policies, procedures, and rules for the regulation of physical security risks to the electric supply facilities of electrical corporations consistent with Public Utilities Code Section 364 (Phase I) and to establish

standards for disaster and emergency preparedness plans for electrical corporations and regulated water companies consistent with Public Utilities Code Section 768.6 (Phase II).

Among other things, this rulemaking will consider whether any new rules, standards, or General Orders (GO) or modifications to other existing policies should apply to all electrical supply facilities within the jurisdiction of the Commission, including facilities owned by publicly-owned-utilities, rural electric cooperatives and regulated water companies.

This rulemaking is being conducted in phases. Phase I of this proceeding used various workshops to help develop standards to address the physical security risks to the electrical supply facilities of electrical corporations. Although Phase I is still an active proceeding, it is appropriate to start Phase II at this time.

Ensuring that utilities are adequately prepared for emergencies and other disasters is of great importance in order to maintain high quality, safe, and reliable service. In order to ensure that regulated utilities are sufficiently prepared to deal with emergencies and other disasters, the Commission is opening this rulemaking to provide for the regulatory framework concerning emergency and disaster preparedness plans that regulated utilities shall adopt in order to be better prepared for disasters and other emergencies.

With input from the public and local agencies, the Commission will ensure electric corporations and regulated water companies have emergency preparedness plans that will be better able to help protect the public from disruption in electricity and water supply during emergencies or other disasters and consistent with the requirements of Section 768.6 to the Public Utilities Code.

Part of this rulemaking is to solicit input from the utilities and other interested persons on what rules and procedures should be adopted by this Commission.

## **2. Prehearing Conference Statements for Phase II**

A prehearing conference statement shall be filed by the parties, limited to addressing the following questions:

1. How many workshops do you anticipate will be necessary?
2. What type of information will be presented in these workshops?
3. What elements should be included in the electrical corporations' and regulated water companies' emergency and disaster preparedness plans?
4. What new rules, standards, or GO or modifications to existing policies should the Commission consider to ensure that electrical corporations and regulated water companies are in compliance with the statutory requirements of Public Utilities Code Section 768.6?
5. Should any new rules, standards, or GO or modifications to existing policies apply to all electrical supply facilities within the jurisdiction of the Commission, including facilities owned by publicly owned electrical utilities and rural electric cooperatives?
6. Should the requirements for small water corporations be similar to those imposed on Class A water companies?
7. Should any new rules, standards, or GO, or modifications to existing policies be adopted to ensure that counties and cities have an opportunity to participate in the preparation of emergency and disaster preparedness plans?
8. Do you believe that there will be a need for hearings in this rulemaking?
9. What should the proposed schedule be for Phase II?

10. Are existing practices by jurisdictional utilities to effectuate emergency preparedness efforts and response plans adequate?
11. Are existing rules to ensure notification to and allow input by local government officials for jurisdictional utilities for emergency preparedness efforts and response plans adequate?
12. Are existing or proposed rules regarding emergency preparedness efforts and response plans for jurisdictional utilities appropriate for publically-owned utilities and water utilities?
13. If existing or proposed rules regarding emergency preparedness efforts and response plans for jurisdictional utilities are appropriate for publically-owned utilities and water utilities, should the rules be applied equitably or should some special conditions or exceptions be considered and/or applied?

We anticipate a large number of parties will participate in this proceeding. To keep prehearing conference statements concise, we will restrict the length of prehearing conference statements to 12 pages (including caption and signature block).

### **3. Prehearing Conference**

At the prehearing conference the parties shall be prepared to discuss the following:

1. The procedural schedule.
2. Respond to questions from the ALJ and, if present, the assigned Commissioner regarding all pertinent issues.

If necessary, at the prehearing conference, we will update the service list for this proceeding. Until then, any documents filed in this proceeding should be served on the service list for this proceeding. The current service list for this proceeding is available on the Commission's Website:

[https://ia.cpuc.ca.gov/servicelists/R1506009\\_83113.htm](https://ia.cpuc.ca.gov/servicelists/R1506009_83113.htm).

Information regarding the Commission's rules and procedures may be found on the Commission's website at

<http://www.cpuc.ca.gov/General.aspx?id=1620>

**IT IS RULED** that:

1. A prehearing conference is set for 10:00 a.m. on March 15, 2018 in the Commission's Hearing Room, 505 Van Ness Avenue, San Francisco, California, 94102.
2. Any "customer" who intends to seek an award of intervenor compensation for Phase II of this proceeding shall file and serve on all parties to this proceeding a notice of intent to claim compensation within 30 days after the prehearing conference is held in this proceeding.
3. Following the prehearing conference, the Assigned Commissioner will issue a scoping memo which sets forth the issues and schedule for this proceeding pursuant to Rules 7.2 and 7.3.
4. Parties shall file a prehearing conference statement with the CPUC's Docket Office on or before March 1, 2018.

Dated January 19, 2018, at San Francisco, California.

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/s/ GERALD F. KELLY  
Gerald F. Kelly  
Administrative Law Judge