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Office of Consumer Services

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To: Utah Public Service Commission

From: Office of Consumer Services
Michele Beck, Director
Béla Vastag, Utility Analyst

Date: May 10, 2024

Subject: Rocky Mountain Power's Revised 2023 Utah Wildland Fire Protection Plan -
Docket No. 23-035-44

INTRODUCTION

On February 28, 2024, Rocky Mountain Power ("RMP") filed its Revised 2023 Utah Wildland Fire Protection Plan ("WFPP" or "Revised Plan") with the Utah Public Service Commission ("PSC") in this docket. This Revised WFPP updates the original plan that RMP filed on September 25, 2023 to include feedback from the Utah Division of Forestry, Fire and State Lands ("FFSL") who filed their comments (referred to in the filing as FFSL Input) in this docket on November 9, 2023.

On March 20, 2024, the PSC issued a second scheduling order for this docket setting due dates for comments and reply comments on RMP's Revised 2023 Utah WFPP at May 10, 2024 and May 24, 2024, respectively. Per the PSC's scheduling order, the Utah Office of Consumer Services ("OCS") submits these comments on RMP's Revised 2023 WFPP.

STATUTORY REQUIREMENTS FOR RMP'S WILDLAND FIRE PROTECTION PLAN

Utah Code 54-24, Wildland Fire Planning and Cost Recovery Act, required RMP to file its first Wildland Fire Protection Plan or WFPP by June 1, 2020 and an updated or new plan every three years (by October 1) thereafter. RMP's WFPP in this docket is its first 3-year update since filing its original WFPP in June 2020. Utah Code 54-24-201(2)(a) to (i) lists nine topics that a WFPP must cover. A summary of these nine topics is provided below:

- (a) identification of the areas within the utility’s service territory with heightened wildfire risk;
- (b) how will utility infrastructure be inspected and operated to reduce wildfire risk;
- (c) how will vegetation management be performed;
- (d) how will electrical facilities be upgraded or hardened to reduce the risk of wildfires;
- (e) how to determine when de-energizing power lines is necessary and how will it be done;
- (f) how will power be restored in the event of a wildfire;
- (g) a description of the costs of implementing the WFPP – both O&M and capital costs;
- (h) how will community outreach and public awareness be done; and
- (i) how will the utility coordinate wildfire mitigation efforts with state and local entities.

Utah Code 54-24 also requires the PSC to approve RMP’s WFPP if it meets certain requirements. Section 54-24-201(3)(c) states the PSC “shall approve a wildland fire protection plan” if the plan:

- (i) is reasonable and in the public interest; and
- (ii) appropriately balances the costs of implementing the plan with the risk of a potential wildland fire.

OCS COMMENTS ON RMP’S 2023 UTAH WILDLAND FIRE PROTECTION PLAN

As an initial matter, the OCS notes that RMP’s 2023 WFPP covers activities and costs for wildfire mitigation efforts spanning three years – 2023 to 2025. In addition, RMP has entitled this current plan “Utah Wildfire Mitigation Plan”. As such, the OCS will use the terms wildland fire protection and wildfire mitigation interchangeably in these comments.

RMP Compliance with Utah Code 54-24-201(2)

As discussed above, this section of the Wildland Fire Planning and Cost Recovery Act, 54-24-201(2), enumerates all the information a wildfire mitigation plan must contain. Appendix B, starting at page 142 of RMP’s Revised 2023 WFPP lists these statutory requirements and provides section references as to where this required information can be found in the plan. The OCS has compared RMP’s Revised 2023 WFPP to the requirements in Utah Code 54-24-201(c) and it appears that the plan contains information and a discussion of all the required topics.

RMP Response to Feedback from Utah Division of FFSL

As mentioned in the introduction to these comments, RMP filed an initial 2023 WFPP in September 2023 and then filed a revised 2023 WFPP in February 2024. The reason RMP filed a revised plan is due to the November 2023 comments filed by the Utah Division of Forestry, Fire and State Lands (or FFSL.)

Though the FFSL comments found several areas where RMP’s WFPP could be improved, it appears that the primary concern causing RMP to want to revise its original plan is that it

needed to update the data used in its fire risk modeling. The FFSL found that “RMP’s reliance on outdated data has excluded significant areas of high wildfire risk” and “without accurate and current data informing the FHCA [Fire High Consequence Areas], the plan does not fully reflect the actual risk for wildfire and how it interfaces with RMP’s system.”¹ FFSL comments also noted, that for several other WFPP activities, the FFSL wanted to see RMP do more communication, coordination and/or outreach with various FFSL personnel and other state and local entities.

Because of FFSL’s comments, RMP filed a Motion To Vacate Schedule on November 17, 2023 in order to provide time “to work with FFSL to make revisions to the 2023-2025 WFPP” that would “address the concerns raised by FFSL and provide a more thorough record for the Commission to review.” The Motion stated that RMP would “file a revised WFPP as soon as possible, but no later than February 29, 2024.” The PSC granted RMP’s Motion on November 21, 2023.

Appendix C, starting on page 144 of RMP’s Revised 2023 WFPP, documents meetings held with the FFSL and summarizes RMP’s response and the actions taken as a result of the FFSL’s November 2023 comments. The OCS has reviewed FFSL’s November 2023 comments and Appendix C of RMP’s Revised 2023 WFPP and it appears that RMP has addressed all of the issues raised by the FFSL, including additional feedback FFSL provided on February 15, 2024 on a draft of the Revised WFPP (see pages 146 – 150 in Appendix C). In addition, on April 15, 2024, FFSL filed a second set of comments on RMP’s 2023 WFPP stating “RMP has improved its plan and has addressed FFSL’s major concerns” and “FFSL has no additional input to the PSC regarding the substantive content of the revised plan.”

Cost Comparison 2020, 2023 & Revised 2023 Plans

As shown in Table 1 below, budgets for capital investments and operations & maintenance (“O&M”) expenses have increased dramatically since the original 2020 WFPP.²

Table 1 - Wildland Fire Protection Plan Budgets - 3-Year Totals*

(\$ Millions)	2020 WFPP	2023 WFPP	Revised 2023 WFPP	Change 2023 to Revised 2023	% Change from 2023	Change 2020 to Revised 2023	% Change from 2020
Capital Investments	\$83.20	\$273.50	\$371.70	\$98.20	36%	\$288.50	347%
O & M Expense	\$14.50	\$49.00	\$74.60	\$25.60	52%	\$60.10	414%

*3-Year totals are for 2023 to 2025

Costs have increased 36% (capital) and 52% (O&M) from the original 2023 WFPP to the Revised 2023 WFPP. A much more dramatic cost increase is seen from the 2020 WFPP where costs in the Revised 2023 Plan have increased by 347% (capital) and 414% (O&M).

¹ Utah Division of Forestry, Fire and State Lands Input, filed November 9, 2023, pages 3 and 8.

² See Tables 1 & 2 2020 Plan, Tables 23 & 24 original 2023 Plan and Tables 26 & 27 Revised 2023 Plan.

One cause for these cost increases is that the total area of the Fire High Consequence Area (“FHCA”) has increased in the Revised 2023 WFPP. Table 3, on page 21 of the Revised 2023 Plan shows that total overhead transmission and distribution line miles included in the FHCA increased from 1,172 miles to 2,056 miles, an increase of 75%. The OCS submitted a discovery request to RMP asking for the total square miles covered by the original FHCA and the new revised FHCA. RMP responded that the FHCA from both the 2020 WFPP and the original 2023 WFPP totaled 912 square miles while the FCHA for the Revised 2023 WFPP totals 1,429 square miles.³ This is an increase of 57% in total FCHA area (see Table 2 below). As RMP states on page 17 – 18 of the Revised Plan: “The FHCA sets geographic boundaries for wildfire mitigation programs including asset management and vegetation management...”

Table 2 - Change in FHCA

	Original FHCA	Revised FHCA	Change	% Change
Transmission & Distribution Miles	1,172	2,056	884	75%
Square Miles	912	1,429	517	57%

Though not specifically stated in the Revised 2023 WFPP, the input RMP received from the FFSL, including their subsequent meetings and collaboration, appears to be the primary reason for the increased FHCA. To confirm that the larger FHCA is one of the main drivers of the increased costs in Table 1 above, the OCS submitted a discovery request to RMP asking for specific reasons for the large increases for certain categories of the three-year budget totals (2023 to 2025) from the original 2023 WFPP to the Revised Plan (e.g. for the categories of Asset Inspections and Corrections up \$38.9 million, System Hardening up \$53.9 million and O&M Inspection & Correction up \$25.7 million). RMP generally responded “...the increase in 2024 and 2025 is due to increased...scope as a result of the expanded FHCA area.”⁴

The OCS can see how a larger FHCA could drive costs higher. However, as Table 1 above shows, the cost increases from RMP’s 2020 WFPP are much more dramatic. These tremendously increasing costs are very concerning to the OCS. Therefore, the OCS proposes that instead of a broad “shotgun” approach of spending increasingly very large amounts of ratepayer supported funding on the wildfire risk problem, a better approach is that more analysis is needed to justify the expenditure of these funds and to target funding more efficiently in reducing risk.

The OCS does support reasonable and prudent investments by RMP in fire prevention efforts and acknowledges the importance of doing so, especially since we are currently seeing significantly increasing wildfire risks. However, the OCS also notes that if spending is not optimized to achieve the most cost-effective fire risk reduction, wildfire mitigation efforts can lead to almost unlimited levels of spending, which cannot be supportable in this

³ RMP response to OCS Data Request 4.1, April 23, 2024.

⁴ RMP response to OCS Data Request 2.1, Attach OCS 2.1.xlsx, April 11, 2024.

current environment where we also see significant needs for additional electric resources and pressures driving up consumer’s electricity rates. Thus, it is critical that RMP develop analyses to determine the highest priority investments and prevention plans that are the most successful and efficient in reducing wildfire risk.

Wildfire Ignition Risk Drivers & Fire Incident Analysis

Pages 7 to 8 of the 2023 Revised Plan show eleven years (2013 to 2023) of statistics which summarize the annual totals of fire ignition risk drivers for RMP’s service territory in Utah. Figure 3 from the Plan is reproduced below:

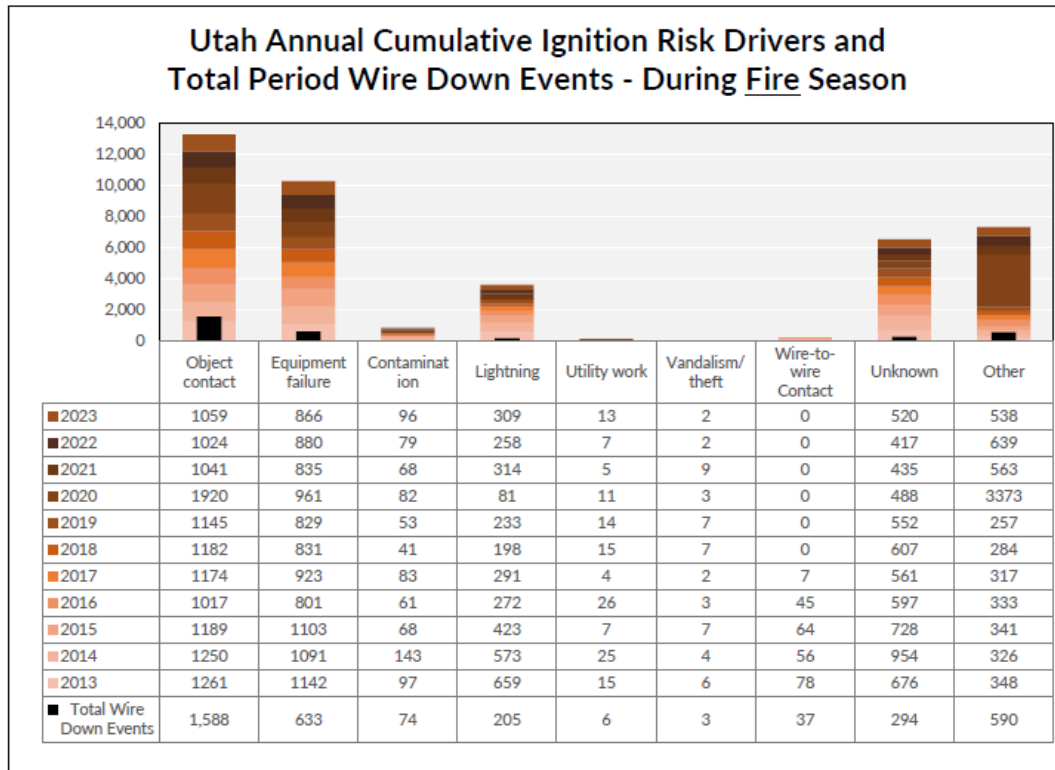


Figure 3: Historic Ignition Risk Drivers During Fire Season

In addition to these statistics, pages 8 to 9 of the Revised 2023 Plan discuss RMP’s “Fire Incident History”. The Plan explains that RMP tracks fires potentially originating from RMP equipment. Specifically, page 9 of this section states “Fire incidents have been tracked since 2020...” and data collected for each fire incident include “...fire start date and time; location...; fire size; suppression agency; facility identification; voltage; associated equipment; outage information; and the suspected initiating event.”

The OCS submitted a discovery request to RMP asking “For 2020 to 2023 and for RMP’s Utah service territory, please provide a list of all these fire incidents and include for each incident, the fields discussed on page 9 of RMP’s Revised 2023 Plan.”

This discovery request set also asked RMP to provide: “For both Figure 2 and Figure 3 [in RMP’s Revised 2023 WFPP] and for 2020 to 2023, please indicate how many of these

ignition risk drivers actually resulted in a fire. For example, in Figure 3 for 2023, the table shows 1059 Object Contacts. Please indicate how many of these 1059 Object Contacts during the 2023 Fire Season resulted in a fire.”

Using the data provided in RMP’s response, the OCS is able to provide Table 3 below which shows for 2020 to 2023 the risk drivers potentially responsible for igniting fires in RMP’s Utah service territory.⁵ Table 3 shows that for these four years, there were 115 fires with the top three causes being Equipment Failure (35), Unknown (30) and Object Contact (20).

Table 3 – Utah Fire Incidents

Source of Fire	Year				Grand Total
	2020	2021	2022	2023	
Contact from object	2				2
Contamination	2		1	2	5
Disregard			2		2
Equipment Failure	7	1	18	9	35
Lightning	1	1			2
N/A Not Operational	1				1
NA-Planned		2	1	1	4
Object Contact	4	3	2	9	18
Other - See comment	2	1	8	4	15
Unknown	10	6	9	5	30
Wire to Wire			1		1
Grand Total	29	14	42	30	115

OCS also submitted data request 3.2 which asked RMP to provide more detail and examples of the ignition risk drivers in Table 2 and Figure 3 above. RMP responded with the following table:

Category	Examples
Contamination	Condensation/Moisture, Contamination, Pole Fire
Equipment Failure	Bad Order Equipment, Deterioration or Rotting, Faulty Install, Relays, Breakers, Switches, Structures, Insulators, Conductor
Lightning	Risk driven by lightning
Object Contact	Animals, Bird Mortality, Bird Nest, Bird Suspected (No Mortality), Dig-In, Other Interfering Object, Other Utility/Contractor, Tree - Non-Preventable, Tree (Trimmable), Vehicle Accident, Tree-Felled by Logger
Other	Fire/Smoke (Non-Fault), Flooding, Freezing Fog and Frost, Ice, Improper Protective Coordination, Incorrect Records, Other (Known Cause), Overload, Snow, Sleet and Blizzard, Wind
Unknown	Risk driver is unknown
Utility Work	Contractor, Tree Contractor, PacifiCorp Employee - Dispatch, PacifiCorp Employee - Field, PacifiCorp Employee - Substation, Switching Error, Testing/Startup Error
Vandalism	Risk driven by vandalism
Wire-to-wire Contact	Risk driven by wire-to-wire contact

⁵ RMP response to OCS Data Requests 3.1 & 3.2, Attach OCS 3.1.xlsx, April 23, 2024.

The OCS believes that a thorough analysis of these data to determine which ignition risk drivers are more likely to cause fires and are most important for targeted wildfire mitigation efforts is key to enabling RMP to have an effective Utah WFPP. In order for RMP to spend ratepayer funds efficiently, RMP must ensure that its WFPP is targeting those mitigation efforts which will provide the most fire mitigation benefits for the costs incurred.

However, page 37 of the Revised 2023 Plan indicates that a Fire Incident Root Cause Evaluation will not be completed until near the end of 2025. OCS data request 3.3 asked RMP the following question:

“Has RMP completed any analyses, either formal or informal, using the 2020 to 2023 fire incident data (or other data) to determine which ignition risk drivers are more likely to cause fires and/or which ignition risk drivers are most important for targeted mitigation efforts?”

RMP responded to OCS 3.3 on April 23, 2024 as follows:

“PacifiCorp has not performed recent detailed analysis using its fire incident data to identify ignition risk drivers that are most likely to cause fires. The Company has implemented an updated process and enhanced software in the new Advanced Data Analytics platform to enable this analysis in the future once a sufficient amount of data is available and validated. In conjunction with the new fire incident process and software implementation, employees are receiving updated training by the end of Q2 2024 on reporting outages and ignitions. This training is intended to reinforce data collection practices to support trend analysis of outage events and ignition risk drivers.”

Page 30 of the Revised 2023 Plan discusses Risk Spend Efficiency or RSE. RMP states “Rocky Mountain Power is planning to implement Risk Spend Efficiency (RSE) to evaluate the effectiveness of proposed mitigations relative to cost.” This statement implies that RMP is not yet using RSE, nor has used RSE in developing its Revised 2023 Plan. Therefore, it is currently unknown whether RMP’s wildfire mitigation efforts are effective relative to cost.

Balancing Costs & Risks as Required by 54-24-201(3)(c)

As discussed earlier in these comments, the PSC shall approve RMP’s Wildland Fire Protection Plan if the plan “...appropriately balances the costs of implementing the plan with the risk of a potential wildland fire.” Because RMP has not yet performed a Fire Incident Root Cause Evaluation nor implemented Risk Spend Efficiency (as described above), it is unknown whether RMP’s WFPP appropriately balances costs with the risks of wildfires. RMP’s WFPP costs are mushrooming – up 347% (capital) and 414% (O&M) since 2020. The OCS believes that the PSC should require RMP to document, using an analytical basis, that costs and risks are appropriately balanced.

As noted earlier in this memo, the OCS supports investments in wildfire mitigation efforts. However, investments must be accompanied with accountability, as envisioned by the Utah Wildland Fire Planning and Cost Recovery Act. Regulators and other stakeholders do not

have the same access to the data or the ability to conduct root cause analyses as does RMP. The PSC must require the utility to provide these analyses as part of the utility's wildfire mitigation plan.

RECOMMENDATIONS

The OCS recommends that the PSC approve RMP's Revised 2023 Utah Wildland Fire Protection Plan contingent on:

1. RMP providing an analysis using its ignition risk driver data to demonstrate that it is optimizing risk spend efficiency. The OCS requests that the PSC require RMP to provide this analysis in its 2025 Wildland Fire Cost and Compliance Report which is due on or before June 1, 2025. The OCS sees this analysis as just one component of how RMP must demonstrate that it is meeting the statutory requirement that it is balancing the costs of implementing the plan with the risk of a potential wildland fires.
2. RMP updating its Revised 2023 WFPP to include more cohesive information on meeting Utah Code 54-24-201(3)(c) or how its Wildland Fire Protection Plan balances costs and risks. Each update of RMP's Utah WFPP, since the original plan was filed in 2020, has shown dramatically escalating costs.⁶ Regulators need to see clearly organized decision supporting data and analysis in the plan justifying these rising costs. This additional cohesive and organized decision supporting information could also be provided as part of RMP's 2025 Wildland Fire Cost and Compliance Report.

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⁶ RMP files annual Wildland Fire Cost and Compliance Reports (e.g. see Docket No. 23-035-27) and these reports have provided cost and budget updates which have also shown escalating costs.