

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

Order Instituting Rulemaking to Examine
Electric Utility De-Energization of Power
Lines in Dangerous Conditions.

Rulemaking 18-12-005
(Filed December 13, 2018)

**PHASE 2 TRACK 1 PROPOSAL OF THE CALIFORNIA ENERGY STORAGE
ALLIANCE**

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In accordance with Rules of Practice and Procedure of the California Public Utilities Commission (“Commission”) and the *Assigned Commissioner’s Phase 2 Scoping Memo and Ruling* (“Scoping Memo”), issued by Assigned Commissioner Michael Picker on August 14, 2019, the California Energy Storage Alliance (“CESA”) hereby submits our Phase 2 Track 1 Proposal herein. Furthermore, pursuant to the *Email Ruling Adopting Protocol for Noting Party Status in Filings* (“E-Mail Ruling”) by Administrative Law Judge (“ALJ”) Melissa Semcer on March 12, 2019, CESA was granted party status in Rulemaking (“R.”) 18-12-005 on February 19, 2019 at the prehearing conference¹ by virtue of filing comments on *Order Instituting Rulemaking to Examine Electric Utility De-Energization of Power Lines in Dangerous Conditions* (“OIR”) on February 8, 2019.²

I. INTRODUCTION.

CESA supports the range of issues to be considered in Phase 2, as proposed in the Scoping Memo, and looks forward to engaging in Phase 2 of this proceeding to develop safe and responsible

¹ See *Reporter’s Transcript* at p. 17.

<http://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M268/K444/268444747.PDF>

² *Comments of the California Energy Storage Alliance to the Order Instituting Rulemaking*, filed on February 8, 2019. <http://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M265/K165/265165647.PDF>

Public Safety Power Shut-Off (“PSPS”) guidelines that ensure electric customers are prepared for de-energization events in the near term and long term.

In this proposal, CESA focuses on the following definition and standard nomenclature Track 1 sub-issue: “Should the Commission adopt an updated definition of Critical Facilities to include the transportation sector, Department of Defense Facilities or other sectors?” Specifically, CESA proposes that electric vehicle (“EV”) chargers be added to the list of “critical facilities” and “critical infrastructure” to ensure that EV customers are prepared to manage their vehicle “fuel” during emergency situations.

II. THE COMMISSION SHOULD ADD ELECTRIC VEHICLE CHARGING INFRASTRUCTURE TO THE DEFINITION OF CRITICAL INFRASTRUCTURE FACILITIES.

EVs and EV infrastructure will represent a growing part of the transportation sector, especially as the state seeks to decarbonize a sector that constitutes 41% of total state emissions by linking the transportation sector to an increasingly clean and renewable electricity grid. To advance continued and significant transportation electrification, the Commission will need to ensure access to a robust charging infrastructure and provide a means for drivers to rely on EVs as a primary means of transportation in order to encourage greater levels of fuel switching from gas-powered vehicles to EVs. As such, CESA recommends that the Commission adopt EV charging infrastructure, defined as Level 2 chargers and direct current fast chargers (“DCFCs”), to the definition of critical infrastructure facilities. Given that EV charging infrastructure is managed and operated by different entities in different use cases (*e.g.*, site hosts and/or fleet operators in workplace and public charging applications, EV drivers in most consumer household applications), the Commission should consider the appropriate entity to contact for notification to avoid

duplication and increase effectiveness of the communication. The Commission may consider having “EV charging network operators” be the entity for notice.

In the face of potential PSPS events, however, EV customers and drivers face some uncertainty around their electric fuel supply, which poses risks to existing EV drivers in being able to prepare in advance around PSPS outages. If notified and made aware of impending PSPS events, EV drivers can then react to transport themselves or others to safety, such as to locations that are not affected by PSPS events where the EV can be charged. For example, electric buses can shuttle critical-needs customers to unaffected areas, or EV customers generally can reorient their charging and driving patterns to ensure transportation of critical customers and supplies can be accomplished. Additionally, with advanced notification, EV drivers can be prepared with a full battery charge of their EV to be assured of mobility during PSPS outage events. Without the inclusion of EV charging infrastructure as critical infrastructure that are incorporated into PSPS notification and communication protocols, there is a risk that EV customers will be ill-prepared (*e.g.*, insufficient EV battery charge) and even be potentially stranded with limited means transporting themselves or others to safety.

Decision (“D.”) 19-05-042 established rules to ensure that facilities and infrastructure are able to prepare for and respond to a de-energization event and/or invest in resiliency measures.³ CESA believes that the EV charging infrastructure falls within the definition of facilities and infrastructure that require additional assistance and advance planning.⁴ The Commission also relied on Department of Homeland Security (“DHS”) definitions for critical infrastructure to

³ D.19-05-042 Findings of Fact 10 and 16, *Decision Adopting De-Energization (Public Safety Power Shut-Off) Guidelines (Phase 1 Guidelines)*, issued on May 30, 2019 in R.18-12-005. <http://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M296/K598/296598822.PDF>

⁴ D.19-05-042 Appendix A at p. 4.

determine the types of facilities and infrastructure that should fall within de-energization notifications and protocols. In its Transportation Systems Sector-Specific Plan, DHS identifies how transportation systems must be mitigated of risks from natural disasters and man-made threats, recognizing that “transportation systems provide lifeline services for communities and are vitally important for response and recovery operations.”⁵ In addition to critical-service facilities and entities that may begin to rely on EVs to some degree, this concern for transportation systems should apply to all EV customers who may be affected by de-energization events for the reasons noted above.

Furthermore, inclusion of EV charging infrastructure in this “critical facility” and “critical infrastructure” definition will ensure that such infrastructure is involved in Track 1 discussions around being provided information on the timing and estimated duration of de-energization events as well as in Track 2 discussions around mitigation measures, such as through co-located energy storage or through microgrid development. EV customers and facilities should have the information and tools to develop solutions to mitigate the adverse impacts on households that depend on an EV during a PSPS event. IOUs will also be directed to ensure EV charging infrastructure is assessed for their need for backup generation or additional equipment, pursuant to D.19-05-042

Finally, without the inclusion of EV charging infrastructure in this “critical facility” and “critical infrastructure” definition that entails notification and communication of potential or imminent PSPS events, future drivers may be deterred from adopting EVs if not assured of a means to manage potential fuel supply disruptions as compared to gas-powered alternatives. The state’s

⁵ See DHS and Department of Transportation plan here: <https://www.dhs.gov/sites/default/files/publications/nipp-ssp-transportation-systems-2015-508.pdf>

decarbonization goals and over billion-dollar in transportation electrification investment may be put at risk. Though EV adoption and use is still small relative to gas-powered vehicles,⁶ the consideration for the security and resiliency of EV charging infrastructure may present challenges for the state to achieve its transportation electrification goals if customers are not assured of their security or considered in protocols to manage and plan ahead for their electric fuel supply.

III. CONCLUSION.

CESA appreciates the opportunity to submit these comments on the Phase 1 PD and looks forward to collaborating with the Commission and stakeholders in this proceeding.

Respectfully submitted,



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⁶ McDonald, Loren. "10% Of New Vehicles Purchased in California Are EVs." CleanTechnica published on November 12, 2018. <https://cleantechnica.com/2018/11/12/10-of-new-vehicles-purchased-in-california-are-evs/>