

VIA ELECTRONIC FILING

May 31, 2023

Public Utility Commission of Oregon
201 High Street SE, Suite 100
P.O. Box 1088
Salem, Oregon 97301

Re: Docket UM 2209 – Comments on Independent Evaluator’s Report on Idaho Power’s Wildfire Mitigation Plan

Dear Filing Center:

Idaho Power Company (“Idaho Power” or “Company”) is grateful for the opportunity to submit comments in the Public Utility Commission of Oregon’s (“OPUC” or “Commission”) Docket UM 2209. Idaho Power offers these comments on the report produced by the independent evaluator (“IE”), Bureau Veritas (“BV”), dated May 23, 2023, on the Company’s 2023 Wildfire Mitigation Plan (“WMP” or “Plan”).

Idaho Power would first like to recognize this is only the second cycle of WMP submission and review in Oregon and, as such, the Company offers its appreciation for all parties, Commission Staff (“Staff”) in particular, for the substantial improvement in engagement and outreach around the utility WMPs.

The Company uses this comment opportunity to focus on BV’s 2023 report, with the hope that important clarifications and corrections to the record will be reflected in Staff’s forthcoming memo on Idaho Power’s 2023 WMP. Idaho Power also offers recommendations to enhance the value received from an IE. The Company intends to follow up with Staff and the Commission on ways to further refine and optimize the WMP review process going forward but will do so after conclusion of this 2023 review.

2023 BV REPORT

BV's report assesses Idaho Power's WMP on 11 "subject areas" that align with subparts (a) through (k) of Oregon Administrative Rule ("OAR") 860-300-0002, Wildfire Protection Plan Filing Requirements. For each subject area, BV developed its own set of criteria the WMP needed to achieve as an "expectation of demonstrated compliance." Of the 11 areas, BV determined that Idaho Power "met," "substantially met," or "partially met" expectations in 10 of 11 areas.

With respect to the overall WMP, BV concluded that Idaho Power generally met expectations and has shown progress in evolving its Plan from last year:¹

As the independent evaluator, the level of improvement from the 2022 WMP assessment to the 2023 WMP assessment is clear and provides confidence that future WMP's will continue to show professionalism and improvements. Idaho Power has provided good momentum moving forward in redefining their actions associated with Oregon rules regarding WMP structures.

Bureau Veritas's overall conclusion is that Idaho Power has made changes to their WMP that demonstrates their efforts to reduce fire risks as required by OPUC's rules as narrated above in the recommendations. Idaho Power has proven to have taken a good step forward in their WMP processes and philosophies while understanding there is always room for improvement.

BV also provided a set of recommendations it believes Idaho Power should continue to provide/pursue or consider adopting/implementing in the future. Idaho Power does not address the recommendations here, as the Company will evaluate each recommendation individually in the future and determine whether it will be useful, appropriate, and cost-effective in pursuit of the Company's primary objective of robust wildfire mitigation.

Idaho Power focuses these comments on areas in the BV report that mischaracterize or otherwise misrepresent Idaho Power's WMP—the first of which is in the opening section of the BV report.

BV's introduction includes an overview of Idaho Power's service area and wildfire risk zones. However, the introduction states that the Company did not provide line-mile

¹ 2023 BV Report, p. 25.

information or elevated wildfire risk zone information specific to Oregon. The Company is confused by these statements for two reasons: First, the Company provided both in the 2023 WMP—Table 3 details transmission and distribution assets by state² and Table 4 provides line-miles per risk area by state.³ Second, BV confirms this information was provided later in its report, stating the following:⁴

Idaho Power has shown the two-tier map for Tier 2 and Tier 3 wildfire risk zones across its entire territory in Oregon and Idaho and listed the breakdown of both transmission and distribution lines per tier.

The Company hopes these incorrect statements are the result of a simple misunderstanding or are, perhaps, a holdover from BV’s 2022 assessment of the Company’s 2022 WMP, in which state-specific detail had not yet been provided. It is worth noting that the Company corrected this issue in 2022 in part because of BV’s recommendations last year.

Finally, BV refers to Idaho Power as Pacific Power in the first paragraph of the “Scope” section of the introduction. Because a similar mischaracterization occurred on page 6 of the 2022 BV report dated February 25, 2022, the Company would appreciate if BV could reissue its report with a correction to avoid any further confusion about the subject of its review.

SUBJECT AREA ASSESSMENTS

Subject Area 1: Identified areas that are subject to a heightened risk of wildfire, including determinations for such conclusions, and are: (A) Within the service territory of the Public Utility, and (B) Outside the service territory of the Public Utility but within the Public Utility’s right-of-way for generation and transmission assets.⁵

In the first subject area, BV assesses that Idaho Power’s 2023 WMP met expectations of compliance in one area and partially met expectations in two areas. Specifically, BV notes that the partial scores are the result of the Company: 1) not conducting risk analysis of specific utility assets and 2) not noting the process and timing that will be followed to evaluate and revise risk zones in the future.

² Idaho Power 2023 Wildfire Mitigation Plan, p. 17.

³ *Id.*, p. 25.

⁴ BV Report, p. 11.

⁵ BV’s Subject Area 1 aligns with OAR 860-300-0020(1)(a)

With respect to the former issue of utility assets within the risk analysis, Idaho Power does not understand BV's assessment that the Company partially met the expectation of compliance. The Company's risk modeling analysis is based on equal probability of ignition from its overhead transmission and distribution assets, as explained in Section 3.2.1 of the WMP. Additionally, the Company reviewed its peers' WMPs and found its approach was consistent to that of its peers. Yet Idaho Power's peers received "met" scores in this category, while Idaho Power did not. Idaho Power is unclear of the reasoning for separate scores of similar and consistent risk analysis modeling performed by the three utilities.

Regarding the latter issue of describing the timing of risk area updates, Idaho Power provided this information in Section 11.4 of its WMP and also noted the same in discovery in this case. The Company believes that it reasonably complies with the OPUC's rules.

Subject Area 5: Identified protocol for the de-energization of power lines and adjusting of power system operations to mitigate wildfires, promote the safety of the public and first responders and preserve health and communication infrastructure, including a PSPS communication strategy consistent with OAR 860-300-0040 through 860-300-0050.⁶

In Subject Area 5, BV assesses that Idaho Power met expectations in three areas and substantially met expectations in another. However, the Company is concerned with BV's later statement that the Company is out of compliance with OARs 860-300-0050 and 860-300-0060.⁷ As an initial matter, OAR 860-300-0060 is not a rule section that BV was tasked with evaluating. More importantly, the Company is in full compliance with all aspects of 860-300-0050 and 860-300-0060, as demonstrated by the information provided in the Company's Public Safety Power Shutoff ("PSPS") Plan (Appendix B to the 2023 WMP) and the information on its website specific to PSPS activities and areas: <https://www.idahopower.com/outages-safety/wildfire-safety/what-is-a-psps/>

BV seems particularly concerned that the Company has not provided a map with the boundaries of its PSPS areas, but the Company provides just such a map (an ArcGIS map—aka a Shapefile) on its website at the above link, where customers and Public Safety Partners can collect location information, zoom in on PSPS zones, and search for specific addresses with respect to PSPS zones.

⁶ BV's Subject Area 5 relates to OAR 860-300-002(1)(e).

⁷ BV Report, p. 15.

Finally, the Company would note two additional facts: First, Idaho Power does not have any PSPS zones in Oregon, which explains why the Company does not display PSPS zones in its Oregon map. Second, the Company has not called a PSPS event in Oregon nor fully executed one in Idaho, meaning none of the OAR requirements on communications before, during, and after PSPS events are applicable or relevant to BV’s assessment. As such, the Company does not understand how BV reached its conclusion that the Company is out of compliance with practices it has not needed to leverage.

Idaho Power would appreciate if BV would either remove these misstatements or clarify the record with precise explanations why it believes the Company is not in compliance with these specific rules.

Subject Area 6: *Identification of community outreach and public awareness efforts that the Public Utility will use before, during, and after a wildfire season, consistent with OAR 860-300-0040 and OAR 860-300-0050.*⁸

In Subject Area 6, BV notes that Idaho Power’s WMP met one expectation and partially met two others. For the two areas in which the Company received partial scores, BV explains that it expected a “description of community outreach and public awareness efforts” and a “description of metrics used to track and report” these efforts.⁹ Then, in the “Demonstrated Compliance” paragraph, BV notes the Company’s *success* in this category, stating that the WMP “outlines the high-level methods of outreach supplemented with examples of communications from 2022, discussion of the timing of 2022 outreach campaign, and metrics related [to] the paid advertising campaign.”¹⁰ Based on the specific expectations identified in Table 7 of BV’s report, the Company is unclear how it has not fully met all stated expectations.

BV’s explanation of the Company’s partial score introduces a host of new expectations not previously described or provided, including how the Company did not:

include details [of the] expected target audience for various methods of outreach, expected impact of outreach, details, numbers or reach of Community-Based Organization or Public Safety Partners to capture distribution range of footprint for cohesive understanding of...efforts to maximize impact.¹¹

⁸ BV’s Subject Area 6 aligns with OAR 860-300-0020(1)(f).

⁹ BV Report, p. 16.

¹⁰ *Id.*

¹¹ *Id.*

The Company is concerned that these specific items are not articulated in any of BV’s “expectation[s] of demonstrated compliance,” as listed in Table 7.¹² If Idaho Power had been aware of these additional expectations, the Company would have used the opportunity to highlight the distinct features of the Company’s eastern Oregon service area, which includes just over 20,000 customers, is highly rural, and does not have the types of community organizations that exist in more metropolitan parts of the state.

Despite BV’s perception, the Company conducted extensive outreach in eastern Oregon, including participating in two mock outage events in Malheur County, adding the Red Cross to its list of Public Safety Partners in Malheur County, and holding seven public meetings in the eastern Oregon towns of Ontario, Huntington, and Halfway at the end of the 2022 fire season to gain feedback and help inform future WMPs. Each of these touchpoints is noted in Section 10 of the Company’s 2023 WMP. Additionally, the Company communicated with its Oregon customers via radio, social media, and other direct-to-customer information, as also explained in Section 10 of the 2023 WMP.

Finally, Idaho Power would like to call specific attention to Section 10.3.3 of its WMP regarding communication metrics. The Company clearly articulates how it measures impact related to its wildfire messaging and PSPS communications—primarily through web traffic, page clicks, and impressions associated with the Company’s media campaigns, social media, radio, and other paid media. If BV did not agree with or preferred a different set of metrics, then their expectations criteria should state as much. But, as it stands, the Company considers itself fully responsive to BV’s stated expectations in this subject area.

Subject Area 11: *Description of ignition inspection program, as described in Division 24 of these rules, including how the utility will determine, and instruct its inspectors to determine, condition that could pose an ignition risk on its own equipment and pole attachment.*¹³

BV assessed that Idaho Power’s WMP did not meet one expectation of compliance related to Subject Area 11, which focuses on inspection practices. Yet, the WMP’s Section 4.4.5.1 describes annual Red Risk Zone inspections and potential sources of ignition, and Section 8.2 provides a detailed description of the Company’s full inspection practices and schedules by zone and state. The Company specifically notes that inspections for Priority 1

¹² *Id.*

¹³ BV’s Subject Area 11 aligns with OAR 860-300-002(1)(k).

defects—“conditions that may result in an outage or potential ignition”¹⁴—are conducted by personnel trained in inspection procedures and with experience in line construction.

The Company goes on to list a number of “targeted defects” that its inspectors look for, including “cracked/broken crossarms, avian nesting hazards, damaged equipment and hardware, floating conductors, NESC violations and other obvious defects that pose an immediate threat to the continued operation of the line.”¹⁵ Considering this information in the WMP, it is unclear how BV reached the conclusion that the Company failed to provide a description of conditions that could pose an ignition risk on utility equipment.

Idaho Power will add explicit information in future WMPs detailing that, indeed, the Company complied with Division 24 requirements, as the Company affirmed in response to discovery questions on this topic. But, in regard to the 2023 WMP, one potential source of confusion could be the different inspection practices between the Company’s Red Risk Zones (areas of highest risk) and its Yellow Risk Zones (areas of elevated but lower risk relative to Red Risk Zones). As noted in the WMP, annual inspections for Priority 1 defects were, up until this year, only performed in Red Risk Zones, meaning they were only performed in Idaho, as the Company has no Red Risk Zones in Oregon.

In Oregon, the definition of High Fire Risk Zone (“HFRZ”) does not specify a level or severity of risk required to qualify a given location as an HFRZ. As a result, Idaho Power initially, and in the 2023 WMP, treated Yellow Risk Zones as falling outside the definition of Oregon’s HFRZs. BV’s “not met” designation in this subject area may be the result of the Company’s decision to conduct annual Priority 1 inspections only in Red Risk Zones.

To take a more inclusive approach to risk in 2023 and beyond, Idaho Power noted in deep dive sessions with Staff and BV, and in associated discovery, that the Company began including Yellow Risk Zones in these annual inspections at the start of the year. This change should clear up any confusion about what practices are performed in Oregon.

CONCLUSION AND RECOMMENDATIONS

Idaho Power is grateful for BV’s assessment of the Company’s 2023 WMP as it continues to refine its WMP and related practices. The Company remains concerned, however, by several of BV’s conclusions and misstatements with respect to information provided within the 2023

¹⁴ 2023 WMP, p. 39.

¹⁵ 2023 WMP, p. 39.

WMP even after multiple deep-dive work sessions and substantial discovery. The Company would welcome additional opportunity to discuss these issues that could result in a revised report that accurately characterizes and consistently evaluates the Company’s 2023 WMP.

A larger concern with BV’s report is the development of its rubric of “demonstrated compliance” with the OARs. As was also the case last year, BV’s metrics were developed without public awareness and consultation and were only provided after the utility WMPs were created, offering no opportunity for consideration prior to WMP filing. Perhaps most important, BV’s metrics are referred to interchangeably in the report as “criteria” and “rules”—to be clear, BV’s metrics are not rules and extend far beyond the scope of existing OARs.

While the distinction between “met,” “partially met,” and “substantially met” expectations is not of immediate concern for the Company, the varied and sometimes unsupported assignment of judgment illustrates that BV’s assessment of the three utilities is at times subjective and at other times incomplete. Idaho Power recognizes the challenges associated with comparing three distinct utility plans on the same metrics, but the Company respectfully requests that, going forward, the IE clearly states expectations before WMPs are filed and then consistently applies standards when reviewing them.

To this end, the Company offers the following suggestions to enhance transparency and better leverage the intended value of an IE in the future:

- **Announce the IE:** To properly set expectations of the parties, Staff could announce the name and qualifications of the IE soon after retention, if an IE is to be used;
- **Benchmark and establish criteria in advance of WMP filings:** Through a public process, Staff could establish a public process to develop criteria for evaluation *in advance* of the end-of-year WMP deadline and properly distinguish these criteria from existing OARs that govern the utilities’ filings; and
- **Set a schedule:** Either before or immediately following the WMP filings, Staff could establish a case schedule that includes an opportunity to revise the IE report to ensure that inaccuracies and mischaracterizations are not perpetuated from cycle to cycle and do not continue to exist in published form—such was the original objective of last year’s case schedule to produce both a draft and a final IE report.¹⁶

¹⁶ For the 2022 WMP review, the original case schedule included deadlines for a draft IE report and a final IE report. After the draft report was issued, Staff alerted the Company and parties that the draft report would be considered the final, with all draft markings and inaccuracies remaining.

Alternatively, and absent the publication of an accurate final IE report, the Company suggests that the IE's analysis should not be a document of public record.

Finally, Idaho Power reiterates its commitment to the vital work of wildfire mitigation to enhance the safe and reliable delivery of electricity to its customers and the communities it serves. The Company recognizes both the WMP itself and the process of review will and must evolve over time, and the Company hopes that its comments herein are taken in the spirit of collaboration and continuous improvement with which they are intended. As always, the Company looks forward to further discussions in this matter with parties, Staff, and the Commission.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Alison Williams". The signature is fluid and cursive, with a long horizontal stroke at the end.

Alison Williams
Regulatory Policy & Strategy Leader
Idaho Power

Cc: OPUC Filing Center