



**Portland General Electric Company**  
121 SW Salmon Street • 1WTC0306 • Portland, OR 97204  
portlandgeneral.com

May 31, 2023

***Via Electronic Filing***

Public Utility Commission of Oregon  
Attention: Filing Center  
P.O. Box 1088  
Salem, OR 97308-1088

**RE: UM 2208 – Portland General Electric Company’s 2023 Wildfire Mitigation Plan**

Dear Filing Center,

Portland General Electric Company (“PGE”) appreciates the opportunity to comment on the Independent Evaluator (“IE”) report regarding PGE’s 2023 Wildfire Mitigation Plan (“WMP”) prepared by Bureau Veritas. PGE values the significant effort under a compressed schedule, and the experience and expertise that the IE has applied from reviewing wildfire mitigation plans in other states. PGE will consider the IE’s recommendations in future WMPs and acknowledges the IE findings that PGE has generally met the compliance requirements for its WMP. In particular, the IE found on page 23 of its report:

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. Portland General Electric has provided good momentum moving forward in redefining their actions associated with Oregon rules regarding WMP structures.

Bureau Veritas’s overall conclusion is that Portland General Electric 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. Portland General Electric has proven to have taken a good step forward in their WMP processes and philosophies while understanding there is always room for improvement.

On May 10, 2022, in Order No. 22-159, the Public Utility Commission of Oregon (“Commission” or “OPUC”) adopted final Public Safety Power Shut-Off (“PSPS”)-specific rules to govern wildfire mitigation plans as required by Senate Bill 762 (2021). Specifically, in its Order the

Commission adopted Oregon Administrative Rules (“OARs”) 860-300-0010, -0050, -0060, and -0070. The Commission then followed with its adoption of the remaining wildfire final rules on September 8, 2022, in Order 22-335. These rules set the requirements for Wildfire Protection Plans (which are also known as Wildfire Mitigation Plans) that the IE, OPUC Staff (“Staff”), and the Commission use to evaluate the 2023 WMPs of each Oregon investor-owned utility (“IOU”).

On February 23, 2023, the OPUC indicated it would hold a workshop at which general questions about the respective 2023 WMPs would be posed to each Investor-Owned Utility (“IOU”) by Staff, and that following the workshop, several “deep dive” workshops would be scheduled to focus on specific wildfire mitigation topics. That initial workshop was conducted on March 14, 2023, and was followed by six “deep dive” sessions that covered the following subjects: Risk Analysis and Risk Drivers, including Asset Health; Risk Mitigation and Risk Spend Efficiency or other Valuation Methods; Inspection & Correction; Vegetation Management; System Hardening, including Technology Innovations; Situational Awareness & Operational Practices; and Community Engagement & Public Safety Protocols. On March 3, 2023, Staff indicated that the six “deep dive” workshops would begin on March 24, 2023, with each subsequent session falling on an approximately weekly cadence through May 2, 2023. In addition to preparing for and attending these “deep dive” workshops, PGE prepared substantive responses to questions provided by Staff in advance, and then presented that information in the “deep dive” workshops themselves. Subsequent to each of these workshops, Staff then issued – the first on March 21, 2023 – 136 Information Requests to PGE covering the questions answered during each workshop, as well as additional questions spurred by the conversation during a given workshop. PGE prepared and submitted 136 extensive responses to fulfill these Staff Information Requests, while simultaneously preparing for subsequent “deep dive” workshop sessions. In the interest and recognition of continuous improvement with respect to wildfire mitigation, and resilience generally, PGE responded in good faith to advancing Staff’s substantial Information Requests as part of its review of our 2023 WMP. PGE appreciates the

spirit that this process attempted to instill, and at a future date, PGE looks forward to offering suggestions on how to continuously improve this review process for all Parties.

The IE's review of PGE's 2023 WMP, as reflected in its IE report, applies its own evaluation rubric ("Expectations of Demonstrated Compliance"). These IE "requirements" may provide guidance and suggestions for future WMPs, but also run the risk of not being directly anchored to the Commission's rules. By including its own compliance metrics that are not included in the Commission's rules and were not known to PGE prior to the submission of our 2023 WMP, nor discussed in the AR 638 docket, the IE is potentially establishing a precedent that additional requirements can be unilaterally imposed outside of the regulatory rulemaking process. While, as discussed above, PGE intends to thoughtfully evaluate and consider these recommendations as we believe it is important to continuously improve, PGE cautions that the IE may be unintentionally creating expectations and recommendations that exceed the scope of the WMP rules and could be misinterpreted as compliance requirements.

On a side note, there are a number of typographical errors and a few instances where it appears that the IE has utilized language that is from another IOU's 2023 WMP in the Independent Evaluator Report (Report) for PGE. For example, on page 16 of the Report, a reference is made to "non-FHCA" which is not a term utilized in PGE's WMP. There is also an inaccuracy on page 12 of the Report which references overhead distribution line miles where that mileage is actually for both underground and overhead distribution line miles. If there is an opportunity for the IE to correct the Report, PGE wanted Staff to be aware of these items and is happy to provide more detailed information if desired.

The Commission, Staff, IOUs, and Parties have now completed a full cycle of WMP development, submission, review, and approval, with initial IOU WMPs filed in late December 2021 for the 2022 fire season, and Commission Orders on those WMPs issued in mid-April 2022. Similarly, PGE filed its WMP for the 2023 fire season in late December 2022, and expects an Order from the Commission by the end of June. One of the lessons learned from going through the WMP cycle is that PGE believes that the cadence and timing of WMP development, submission, review, and approval, given

Staff's and the IE's information needs and the utilities' need for comment opportunities, may be improved to allow time for each subsequent WMP to fully benefit from, and incorporate, lessons learned during review of the previous WMP. A revised WMP schedule would also allow for development, submittal, review, and approval of the WMP prior to the fire season covered by that WMP. Adjusting the WMP schedule would help to free up IOU staff involved in development of WMPs (as well as OPUC Safety Staff) during the time necessary to focus on implementation of an approved WMP prior to and during fire season rather than focusing on the WMP review process. A change in the cadence and timing of WMP filings may also improve the IOU's opportunities to work with and communicate with partners, and leverage limited staffing resources, including the use and engagement of, the IE. PGE would like to work with Staff and Parties to consider the appropriate timing and schedule for submittal and review of WMPs as we move forward.

PGE reiterates its steadfast commitment to wildfire mitigation efforts that protect the safety of the public and natural spaces and increase our system's resiliency to wildfire damage and risk mitigation. This is important work, and PGE recognizes that electric utilities are one of the many critical partners needed for the state to be successful in its pursuit of holistic and effective wildfire risk mitigation efforts. PGE is committed to continually improving its wildfire mitigation program and will consider all recommendations from the IE, Staff, and other Parties when developing future WMPs.

Sincerely,

*/s/ WM Messner*  
William M. Messner, Esq.  
Senior Infrastructure Program Director,  
Portland General Electric Company