

TOWNSEND

PUBLIC AFFAIRS

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MEMO

To: City of Cupertino
Legislative Review Committee

From: Townsend Public Affairs, Inc.

Date: July 23, 2021

Subject: Consider adopting a position on SB 52 (Dodd) State of Emergency: Local Emergency: Sudden and Severe Energy Shortage: Planned Power Outage

Bill Information

The official text of SB 52 can be found [here](#)¹.

Summary

SB 52 defines a “deenergization event” as a planned power outage and designates a deenergization event as a condition constituting a local emergency, with prescribed limitations.

Specifically, this bill:

- Defines a “deenergization event” as a planned power outage, undertaken by an electrical corporation to reduce the risk of wildfires caused by utility equipment. This event commences upon a notification from an electrical corporation to a relevant government entity of the potential need to initiate a planned deenergization of the electrical grid, and either ends when all electrical services are restored or when the electrical corporation cancels the deenergization event for some or all of the affected customers and rescinds the notification of a potential need for the planned deenergization event. A deenergization event does not include planned outages stemming from regular utility work.
- Establishes a deenergization event as a condition qualifying of a local emergency.
- Specifies that a proclaimed local emergency stemming from a deenergization event does not result in the electric utility obligations as determined by the California Public Utilities Commission (CPUC).
- Specifies that proclaimed local emergency stemming from a deenergization event does not change the electric utilities’ CPUC approved cost-recovery mechanisms for their own costs associated with deenergization events.

Status

SB 52 was approved by the Assembly Emergency Management Committee (7-0) on July 5th. The measure is currently on the Assembly Floor awaiting consideration.

¹ https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB52

Support

The author states, "In an era of climate change and enhanced wildfire prevention, public safety power shutoffs (PSPS) have become an all too frequent event. A PSPS has very significant impacts on various activities and populations in an effected region/county, including sustaining the needs of medically vulnerable residents, and continued and uninterrupted operations of critical public services (water, wastewater, traffic control, police and fire protection, etc.). In order for public services to continue, and in order to ensure vulnerable populations are protected, counties open emergency operation centers to coordinate and oversee the maintenance of public safety health and welfare. Activation of county emergency operation centers is expensive and a drain on county funds."

Furthermore, the author's office states that "Currently, the Emergency Services Act recognizes a loss of electrical power as an emergency, but limits that definition of a loss of power to a sudden, unplanned event. Given the fact that a loss of power pursuant to a PSPS is planned, it is necessary to broaden the definition of a loss of power in the ESA. In this manner, counties will be able to seek reimbursement for the costs incurred by running the emergency operation centers."

Supporters of AB 816 include: Assn of California Water Agencies; California Fire Chiefs Assn; California Foundation for Independent Living Centers; Disability Rights California; East Bay Community Energy; Fire Districts Assn of California; League of California Cities; Rural County Representatives of California; and the cities of Thousand Oaks and Tustin.

Opposition

There is no official opposition to SB 52.

Legislative Platform

This bill falls under Cupertino's 2021 Legislative Platform in the Emergency Preparedness Section, Item #2 (page 4) and allows for a Support position.

Recommended Action

Adopt a support position on SB 52 and authorize the Mayor to send letters to the state legislature.