

California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

March 30, 2021



Re: Frontline Community Demands on CPUC to Hold PG&E Accountable to the Plan of Reorganization

Dear CPUC Commissioners,

Last June, you allowed PG&E to exit bankruptcy court without taking financial responsibility for the human and economic costs of the 2017 and 2018 northern California fires they caused that killed over 100 people. As commissioners, you have the authority to hold this private utility accountable and the power to revoke its license to operate.

Fire survivors and frontline community groups protested that your Enhanced Oversight and Enforcement process was not sufficient to protect us. We don't trust that PG&E could ever keep us safe from future wildfire disasters that wreak havoc on our lives and livelihoods or from poorly planned or unplanned shutoffs that leave our communities without adequate backup for lifesaving medication, food, or communication lines. Since the June 2020 approval of the Plan of Reorganization, we have seen little oversight exercised by the CPUC. PG&E has continued down the path of death and damage to our livelihoods through its negligence, shortcuts, and prioritization of profit over human life.

Your resolution, scheduled for an April 15th vote, focuses narrowly on PG&E's failure to prioritize removal of certain trees rather than its failure to harden grid infrastructure, prevent wildfires, and protect our communities. Your accountability process needs to focus on the core of what is at stake: stopping PG&E from putting our lives on the line to line the pockets of shareholders. We demand that you now use your regulatory enforcement power to reject PG&E's safety certificate, advance the utility to at least Step 3 of the 6-step Enhanced Oversight and Enforcement process, and escalate your actions to protect Californians from this criminal utility.

Since June 2020, PG&E has not only failed to remove trees posing the greatest fire risk, as cited in the CPUC resolution, but has also put us in the following dangerous situations:

- Caused the Zogg Fire that killed 4 people in Shasta County and incinerated 56,000 acres and over 200 structures.
- Failed to make significant hardware upgrades to power lines that would have dramatically reduced wildfire risk.

- Shut off lifesaving power to Californians at least 6 times in 2020 without sufficient notice or the resources in place for the medically vulnerable or essential facilities like health clinics during the pandemic.
- Violated the promise of the Plan of Reorganization to remain "ratepayer neutral." We are the ones paying into the Wildfire Fund to bail out PG&E when they inevitably fail and cause more wildfires. Our bills are being raised to pay for PG&E's failing wildfire mitigation programs, contrary to the terms of the Plan.
- Undercut compensation to fire survivors by over a billion dollars, that many are still waiting to receive.
- Misled regulators about removing the appropriate trees in fire prone areas.

PG&E is reckless. We have witnessed their negligence with the San Bruno explosion, the Paradise destruction, and the Zogg fire. The safety certificate CPUC issued to PG&E should not have been approved, not only because PG&E's wildfire mitigation plan is flawed and it failed to meet the conditions required for approval, but also because there is no procedure in place for the public to review or challenge such an important action. Not having such a process in place is no justification for granting this murderous, government-granted monopoly corporation license to continue failing our communities. On April 15th you'll have another chance. We demand you reject PG&E's safety certificate.

Further, the Commission has made limited effort to hold PG&E accountable. The process has been opaque, inaccessible, and behind closed doors between the corporate offender and the Commission. Since safety certification and oversight of PG&E involves our lives, our safety, and uses billions of our dollars to pay for damages, it should involve impacted stakeholders in a **public** forum.

It is clear that PG&E needs more than a slap on the wrist. Commissioners, **we need your accountability process to be transparent, to work, to have teeth, and to be enforced.** We need to feel safe. We demand the CPUC:

- Reject PG&E's Safety Certificate when it comes up for confirmation on April 15th
- Move PG&E into Step 3 or further up the Enhanced Oversight and Enforcement process and select a third party monitor to hold the utility accountable
- Make the Enhanced Oversight and Enforcement process public and transparent by moving it to an official CPUC proceeding
- Force PG&E shareholders, not the people, to pay for the company's failures

We elevate this call for accountability because we are tired of PG&E and other utilities, like those in Texas, that don't value our lives and don't prepare for the worsening climate crises we are facing. We want an energy system that meets community needs under 21st century conditions. We saw Governor Newsom sign Golden State Energy into law in 2020 to take the place of PG&E if it failed again. Each commissioner promised to hold PG&E accountable for its failures. Now is the time to fulfill that promise.

Energetically, the Reclaim Our Power Leadership Team and allies

California Environmental Justice Alliance

Communities for a Better Environment

Local Clean Energy Alliance

Movement Generation

North Bay Organizing Project

People Organizing to Demand Environmental and Economic Rights (PODER)

CC:

Governor Gavin Newsom

Senate Pro Tem Toni Atkins

Assembly Speaker Anthony Rendon

Senate Energy, Utilities and Communications Committee Chair Ben Hueso

Assembly Utilities and Energy Committee Chair Chris Holden

United States District Judge William Alsup