



A Tradition of Stewardship
A Commitment to Service

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NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors

FROM: Jeffrey Brax - County Counsel
County Counsel

REPORT BY: Jeffrey Richard, Chief Deputy County Counsel - 253-4234

SUBJECT: Report by outside counsel on Napa County's active participation in California Public Utilities Commission proceedings relating to wildfires and PG&E

RECOMMENDATION

County Counsel requests discussion with outside counsel regarding the status and results to date of Napa County's participation as a party in California Public Utilities Commission (CPUC) proceedings relating to wildfire prevention and mitigation and PG&E operations, including proceedings relating to utility practices in implementing Public Safety Power Shutdowns (PSPS) and other wildfire mitigation measures.

EXECUTIVE SUMMARY

The CPUC is conducting several proceedings related to PG&E, the 2017 North Bay Fires, and other issues related to wildfire safety. These proceedings including PG&E's wildfire mitigation plan required by State legislation (SB 901), as well as proceedings related to Public Safety Power Shutoff (PSPS) procedures (also known as de-energization), PG&E's request to increase rates to cover the costs of its Community Wildfire Safety Program, and other issues related to wildfires.

In January 2019, the Board of Supervisors authorized the engagement of outside counsel, the Goodin MacBride law firm, led by its partner Megan Somogyi, who are specialists in CPUC proceedings, for the purpose of representing Napa County (jointly with three other public entities -- Sonoma County, Mendocino County and the City of Santa Rosa) before the CPUC and obtaining party status for Napa County in CPUC proceedings. The purpose of today's agenda item is to have Ms. Somogyi report to the Board and the public as to the status of those proceedings and the results achieved by the public entities and others through vigorous participation before the CPUC.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

The CPUC is conducting multiple proceedings in which Napa County has been granted “party” status by the CPUC and is actively participating, including the following:

- R.17-05-010—Rule 20A Undergrounding
- R.18-10-007—SB 901 Wildfire Mitigation Plans
- R.18-12-005—De-energization (PSPS)
- R.19-01-006—SB 901 financial stress test
- A.18-12-009—PG&E 2020 general rate case

Megan Somogyi, outside counsel engaged by the Board in January 2019 to represent the County in those proceedings, will report to the Board as to the status of the proceedings and the results obtained to date as a result of the participation by Napa County and other public entities.

SUPPORTING DOCUMENTS

None

CEO Recommendation: Approve

Reviewed By: Helene Franchi