



Public Utilities Commission
STATE OF CALIFORNIA

Citation Date: March 21, 2025
Citation #: D.16-09-055 W.25-03-001
Utility/Operator ID#: U338E

CITATION
ISSUED PURSUANT TO DECISION 16-09-055

Electrical Corporation (Utility) To Which Citation is Issued:

Southern California Edison Company (U338E)

OFFICERS OF THE RESPONDENT

Mel Stark, Principal Manager
ESHQ-T&D Compliance & Quality
Southern California Edison Company
1 Innovation Way
Pomona, CA 91768

CITATION

Southern California Edison Company (SCE or Utility) is cited for three violations, resulting in a financial penalty of \$2,200,000. On September 5, 2022, the California Public Utilities Commission (CPUC or Commission) Safety and Enforcement Division (SED) began its investigation into the Fairview Fire under Incident Number E20220905-03 (Incident). Through its investigation, SED identified that SCE violated General Order (GO) 95, Rule 19; GO 95, Rule 37; and GO 95, Rule 38. Additionally, SED found one violation of Public Utilities Code Section 316. At this time, SED will not impose a monetary penalty for the violation of Public Utilities Code Section 316. Instead, SED is putting SCE on notice that in further investigations SED can and will impose monetary penalties for all forms of non-compliance and behavior that hinder an active SED investigation.

VIOLATIONS

SCE is cited for violations of GO 95, Rule 19 (20 days); GO 95, Rule 37 (one day); GO 95, Rule 38 (one day); and Public Utilities Code Section 316 as described below.

General Order 95, Rule 19 – Cooperation with Commission Staff; Preservation of Evidence Related to Incidents Applicability of Rules states in part:

Each utility shall provide full cooperation to Commission staff in an investigation into any major accident (as defined in Rule 17) or any reportable incident (as defined in CPUC Resolution E-4184), regardless of pending litigation or other investigations, including those which may be related to a Commission staff investigation



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As discussed in Enclosure 2 -- Notice Inclusion of Violations in Fairview Fire Investigation (SED Notice Inclusion of Violations), SCE's consistently late and delayed responses to Data Request Number SCE-01-Fairview Fire (DR-01) hindered and delayed SED's ability to investigate the Fairview Fire incident within a reasonable timeframe. In violation of GO 95, Rule 19, SCE failed to provide Commission staff with full cooperation during SED's investigation.

Public Utilities Code Section 316 – Cooperation with Commission Staff; Preservation of Evidence Related to Incidents Applicability of Rules states in part:

Each electrical corporation shall cooperate fully with the commission in an investigation into any major accident or any reportable incident, as these terms are defined by the commission, concerning overhead electric supply facilities, regardless of pending litigation or other investigations, including, but not limited to, those that may be related to a commission investigation.

As discussed in SED's Notice Inclusion of Violations, SCE treated the DR-01 deadline as unilaterally negotiable and with a lack of seriousness. SCE did not provide SED with timely responses to DR-01 and violated Public Utilities Code Section 316 for failing to cooperate fully with the Commission in its investigation.

GO 95, Rule 38 – Minimum Clearance of Wires from Other Wires states in part:

The minimum vertical, horizontal or radial clearances of wires from other wires shall not be less than the values given in Table 2 and are based on a temperature of 60° F. and no wind. Conductors may be deadened at the crossarm or have reduced clearances at points of transposition and shall not be held in violation of Table 2, Cases 8–15, inclusive.

The clearances in Table 2 shall in no case be reduced more than 10 percent, except mid-span in Tier 3 of the High Fire-Threat District where they shall be reduced by no more than 5 percent, because of temperature and loading as specified in Rule 43 or because of a difference in size or design of the supporting pins, hardware or insulators.

During the Fairview Fire evidence viewing, SED observed two distinct scorch marks on both the phase 1B conductor and the Frontier Communications messenger cable, consistent with electrical arc damage. The California Department of Forestry and Fire Protection (CAL FIRE) Report confirms that SCE's phase 1B conductor and the Frontier Communications messenger cable, in the span between Pole 220028S and Pole 220029S (Incident Span), had a clearance of zero inches since they contacted one another. Additionally, in response to SED's DR-01 Question (Q) 16(b) and Data Request Number SED-02-Fairview Fire (DR-02) Q6, SCE provided to SED: 1) the phase to ground fault data from the Remote Automatic Recloser (RAR) 0139 recorded at the start of the Fairview Fire, and 2) simulation data for a phase to ground fault for an energized conductor and a communication cable. Both sets of data (the actual fault data captured by RAR 0139 and the simulation data) support SED's conclusion that the phase 1B conductor struck the Frontier Communications messenger cable causing a clearance reduction below the requirements of GO 95, Rule 38. SCE's failure to maintain the proper clearance is a single (one day) violation of GO 95, Rule 38.



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General Order 95, Rule 37 – Minimum Vertical Clearance of Wires Above Ground states in part:

Clearances between overhead conductors, guys, messengers or trolley span wires and tops of rails, surfaces of thoroughfares or other generally accessible areas across, along or above which any of the former pass; also the clearances between conductors, guys, messengers or trolley span wires and buildings, poles, structures, or other objects, shall not be less than those set forth in Table 1, at a temperature of 60° F. and no wind...Table 1 – Vertical clearance of wires above ground in areas accessible to pedestrians only - Case 5: Supply conductors 750-22,500 Volts have a basic minimum vertical clearance of 17 feet.

Per GO 95, Rule 37, Table 1, Case 5, Column E, conductors operating between 750-22,500 volts must maintain a minimum above ground vertical clearance of 17 feet in areas that can only be traversed by pedestrians. SCE's post-fire LiDAR scan measurements on September 8, 2022, showed that SCE's phase 1B conductor had an above ground minimum vertical clearance of 12 feet, which violated the minimum vertical clearance required by GO 95, Rule 37, Table 1, Case Number 5, Column E by five feet. SCE's failure to maintain an above ground minimum vertical clearance for the phase 1B conductor is one instance (one day) violation of GO 95, Rule 37.

ENCLOSURES

The following attached enclosures were used to establish the findings of fact:

Enclosure 1 – SED's Incident Investigation Report, dated June 28, 2024

Enclosure 2 – SED's Notice Inclusion of Violations in Fairview Fire Investigation, dated May 24, 2023

Enclosure 3 – SCE's Response to SED's Notice Inclusion of Violations in Fairview Fire Investigation, dated July 10, 2023

Enclosure 4 – SED's Notice of Violation (NOV), dated July 9, 2024

Enclosure 5 – SCE's Response to SED's NOV, dated August 8, 2024

Enclosure 6 – SED's Supporting Documents

STATEMENT OF FACTS

The above violations are documented in the attached Enclosure 1 – SED's Incident Investigation Report, which is based on the following: SED's field observations, SED's review of SCE's records and responses to SED's data requests, CAL FIRE's investigation report (see Enclosure 6 – SED's Supporting Documents), SED's review of Enclosure 3 – SCE's Response to SED's Notice Inclusion of Violations in Fairview Fire Investigation, and SED's review of Enclosure 5 – SCE's Response to SED's NOV.



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BACKGROUND

On September 5, 2022, at approximately 1537 hours, the Fairview Fire ignited within a Tier 3 High Fire Threat District (HFTD) near Fairview Avenue and Bautista Road in the Riverside County city of Hemet. The Fairview Fire ignition location originated between two SCE poles that serve the Sprague 12kV Distribution Circuit and are located on private property.

The CAL FIRE Report concluded that the cause of the Fairview Fire was contact and arcing between SCE's East electrical line conductor and a messenger cable owned by Frontier Communications. CAL FIRE determined that insufficient clearance between the distribution conductor and the messenger cable caused the contact to occur.

The Fairview Fire burned 28,098 acres and caused two civilian fatalities and three injuries, including injuries to two firefighters. The fire destroyed a total of 36 structures, including 22 single family dwellings, and damaged eight structures, including five single family dwellings. The estimated fire suppression cost was \$38,850,000 and the fire caused at least \$1,206,644 dollars in property damage to utility facilities.

On September 5, 2022, SCE reported the Incident to the CPUC under Resolution E-4184's media criterion. SED's investigation of the Incident found that SCE violated several requirements of GO 95, Rules of Overhead Electric Line Construction, as well as Section 316 of the California Public Utilities Code.

On July 7, 2024, SED issued an NOV to SCE (see Enclosure 4 – SED's NOV) which included alleged violations of GO 95, Rule 31.1. On August 8, 2024, SCE responded with additional information, context, and explanations of its operations in its response to SED's NOV and alleged violations of Rule 31.1. As a result of this information, SED dismissed two violations of GO 95 Rule 31.1.

Violation 1

On December 22, 2022, SED served DR-01 on SCE with a response due date of January 26, 2023. The 55 questions SED asked in DR-01 fell squarely within the parameters of GO 95, Rule 19 and Public Utilities Code Section 316. SCE failed to respond to DR-01 on the due date and did not seek an extension from SED. Instead, SCE informed SED that it had decided to extend the deadline to respond to DR-01 to January 20, 2023, February 10, 2023, and February 24, 2023, and that it would be providing the responses on a piecemeal basis.

Despite this self-granted extension, SCE proceeded to miss those deadlines as well, except for responding to five (out of 55) questions on January 30, 2023. SCE did not request any further extensions. Consequently, the responses received on January 30, 2023, were all that SCE provided to SED for almost two months after the DR-01 issue date. Even after meeting and conferring with SED on March 23, 2023, and receiving three extensions, SCE sought to drag out its late responses even further.



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On April 18, 2023, SCE once again requested an extension to DR-01 with an expected production date of April 28, 2023. SED informed SCE that April 28, 2023 was the final deadline for all outstanding responses. On April 27, 2023, SCE requested another extension for three remaining questions beyond the April 28, 2023 deadline. SED denied SCE's request for what would have been a fourth extension. On May 3, 2023, May 5, 2023, and May 17, 2023, SCE submitted late responses to the outstanding DR-01 questions. On May 17, 2023, SCE completed its responses to all the 55 questions in DR-01, 20 days late after the final deadline of April 28, 2023. On May 24, 2023, SED sent its Notice Inclusion of Violations, which outlined that the delays had been unacceptable and that SED would include a violation of GO 95, Rule 19 in its investigation report for SCE's failure to provide full cooperation with Commission staff.

On July 10, 2023, SCE responded to SED's Notice Inclusion of Violations. SCE claimed that the delay in DR-01 responses was due in part to a family emergency faced by an SCE employee who worked on the investigation. However, SED's position is that SCE's mismanagement of its internal resources created the delay and hindered SED's investigation.

Violation 2

As discussed in SED's Notice Inclusion of Violations, SCE treated the DR-01 deadline as unilaterally negotiable and with a lack of seriousness. SCE did not provide SED with timely responses to DR-01. This failure to cooperate fully with the Commission in its investigation constitutes a violation of Public Utilities Code Section 316.

Violation 3

In response to SED-03-Fairview Fire (DR-03), Q4 subparts (a) and (b), SCE provided SED with LiDAR scan measurement data of the Incident Span taken on June 2, 2020 as well as post-fire LiDAR scan data taken on September 8, 2022. SCE stated that on a LiDAR scan taken on June 2, 2020, the minimum distances between the phase 1A and phase 1B conductors and the Frontier Communications messenger cable were 6 feet and 6.68 feet, respectively, which meets the minimum clearance required by GO 95, Rule 38. In DR-03 Q5 subparts (b) and (c), SED asked SCE to provide the same distances between the phase 1A and phase 1B conductors and the Frontier Communications messenger cable taken in a post-fire LiDAR scan by SCE on September 8, 2022. SCE responded that on the September 8, 2022 post-fire LiDAR scan, the distance between the phase 1A conductor and the Frontier Communications messenger cable was 5 feet and the distance between the phase 1B conductor and the Frontier Communications messenger cable was 4.8 feet.

GO 95, Rule 38, Table 2, Case No. 11, Column C requires the distance between an energized conductor and a communication cable to be no less than 5.7 feet at any time. Based on the September 8, 2022 LiDAR scan measurements provided by SCE, the clearance between the phase 1A and phase 1B conductors and the Frontier Communications messenger cable reduced beyond the 5.7 feet clearance limit set by GO 95, Rule 38. In addition, CAL FIRE determined the cause of the fire was the East electrical line (SCE's phase 1B conductor) at the Incident Span contacting the Frontier Communications messenger cable. CAL FIRE determined that the contact created an arc and caused sparks to fall and ignite the vegetation below.



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Violation 4

In response to SED’s DR-01, Q8 SCE provided LiDAR scan measurement data of the Incident Span taken on June 2, 2020. In its DR-02 Q3(d) supplemental amended response, SCE provided post-fire LiDAR scan measurement data taken on September 8, 2022. The June 2, 2020 LiDAR scan measurement taken of the Incident Span showed an approximate minimum distance to ground of 18.1 feet for the phase 1A conductor and 19.4 feet for the phase 1B conductor. The September 8, 2022 LiDAR scan showed the minimum distance to ground of the phase 1A conductor was 17.6 feet, while the minimum distance to ground of the phase 1B conductor reduced to 12 feet.

Per GO 95, Rule 37, a minimum distance to ground of 17 feet must be upheld at any given time for both the phase 1A and phase 1B conductors. SCE’s post-fire LiDAR scan measurement showed that phase 1B’s conductor minimum distance to ground was 12 feet and therefore violated the minimum distance requirement set by GO 95, Rule 37.

SED CITATION ANALYSIS

Element	Staff Finding
Number of violations and duration of violations	<ol style="list-style-type: none"> 1. One violation of GO 95, Rule 19 for 20 days beginning on April 28, 2023 and ending on May 17, 2023. 2. One violation of Public Utilities Code Section 316. 3. One violation of GO 95, Rule 38 for a single day (September 8, 2022). 4. One violation of GO 95, Rule 37 for a single day (September 8, 2022).
Severity or gravity of the offense	<p>Economic Harm: 36 structures destroyed, \$38,850,000 in fire suppression costs, and at least \$1,206,644 dollars in property damage to utility facilities.</p> <p>Physical Harm: The incident resulted in two fatalities and three civilian injuries</p> <p>Regulatory Harm/Number of Violations: Three violations of GO 95, and one violation of Public Utilities Code Section 316.</p>



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Element	Staff Finding
Conduct of the utility	<p>Violation 1:</p> <p>GO 95, Rule 19 requires utilities to fully cooperate with Commission staff in an investigation. SCE’s consistently late and delayed responses to DR-01 hindered and delayed SED’s ability to investigate the Fairview Fire incident within a reasonable timeframe. SCE failed to provide Commission staff with full cooperation in its investigation which violated GO 95, Rule 19. This violation is for SCE’s failure to communicate with SED and unreasonable delay to respond to requests for information; there is no evidence to suggest that SCE failed to preserve evidence.</p> <p>Violation 2:</p> <p>Public Utilities Code Section 316 requires utilities to fully cooperate with CPUC during an investigation. SCE treated the DR-01 deadline as unilaterally negotiable and with a lack of seriousness.</p> <p>SCE did not provide SED with timely responses on DR-01 and violated Public Utilities Code Section 316 for failing to cooperate fully with the Commission in its investigation. This violation is for SCE’s failure to communicate with SED and unreasonable delay to respond to requests for information; there is no evidence to suggest that SCE failed to preserve evidence.</p>



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Element	Staff Finding
Conduct of the utility (continued)	<p>Violation 3:</p> <p>GO 95, Rule 37 requires a minimum distance to ground of 17 feet at any given time for both the phase 1A and phase 1B conductors. SCE's post-fire LiDAR scan measurement showed that phase 1B's conductor minimum distance to ground was 12 feet and therefore violated the minimum distance requirement set by GO 95, Rule 37.</p> <p>Violation 4:</p> <p>GO 95, Rule 38, Table 2, Case No. 11, Column C requires the distance between an energized conductor and a communication cable to be no less than 5.7 feet at any time. Based on the September 8, 2022 LiDAR scan measurements provided by SCE, the clearance between the phase 1A and phase 1B conductors and the Frontier Communications messenger cable reduced beyond the 5.7 feet maximum allowable clearance set by GO 95, Rule 38.</p>



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Element	Staff Finding
<p>Prior history of similar violation(s)</p>	<p>SED’s investigations of other utility-caused wildfires have found that SCE failed to meet the requirements of GO 95, Rule 37; and GO 95, Rule 38 on other occasions.</p> <p>Examples include:</p> <ul style="list-style-type: none"> • E20201026-01 – SCE violated GO 95, Rule 38 by failing to maintain the minimum required vertical clearance between their conductors and communications conductors. • E20191030-05 – SCE violated GO 95, Rule 38 by failing to maintain the minimum required radial separation of 12 inches between two 33 kV overhead conductors. • E20161027-01 -- A bare SCE neutral conductor contacted a bare SCE secondary conductor. SCE violated GO 95, Rule 38 by failing to ensure that the SCE neutral conductor and the SCE secondary phase conductor maintained a minimum radial separation of three inches. • E20181108-02 -- SCE caused five separate violations of GO 95, Rule 38 by failing to maintain the minimum clearance required on various equipment supported by SCE poles. • E20120707-01 – SCE was found in violation of GO 95 Rule 37 as SCE’s sag calculations showed a ground clearance at 21.5 feet instead of the minimum required ground clearance of 22.5 feet. • E20140616-02 – SCE was found in violation of GO 95 Rule 37 as the 16 kV electric conductor had a vertical clearance of 7 feet 3.5 inches above the walkable surface of the building and did not meet the minimum required clearance of 12 feet.
<p>Self-reporting of the violation</p>	<p>SCE self-reported the Fairview Fire under the significant public attention and/or media coverage criterion set forth Resolution E-4184 (August 21, 2008). After SCE self-reported this incident, SED followed up with an incident investigation.</p>
<p>Financial resources of the utility</p>	<p>SCE’s territory includes approximately 5 million electric residential and commercial accounts, serving about 15 million people. SCE generated approximately \$16.3 billion in revenue in 2023.</p>



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Element	Staff Finding
The totality of the circumstances	<p>Aggravating factors include:</p> <ul style="list-style-type: none">• Two civilian fatalities and injuries to three civilians.• 28,098 acres burned, 36 destroyed structures, and 8 damaged structures. <p>Mitigating factors include:</p> <ul style="list-style-type: none">• SCE has not installed new conductors or energized the Incident Span since the Fairview Fire. <p>Circumstantial factors include:</p> <ul style="list-style-type: none">• SCE self-reported this incident under the significant public attention and/or media coverage criterion set forth in Resolution E-4184.
The role of precedent	<p>The CPUC has issued citations to SCE for GO 95, Rule 38 violations in investigations described above in the “Prior History of Similar Violations” section.</p> <p>In addition, the CPUC has issued NOV’s to SCE for GO 95 Rule 37 violations described above in the “Prior History of Similar Violations” section.</p>



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Element	Staff Finding
Resultant citation taking all of these factors into account	<p>The penalty is \$2,200,000 (Two million, two hundred thousand dollars) consistent with the administrative limit on citations adopted in D.16-09-055, Phase Two Decision (Sept. 30, 2016).</p> <p>The per day penalty in this case is a maximum of \$100,000 per day and a minimum of \$500 per day for each violation under California Public Utilities Code Section 2107 (applicable at the time the incident occurred). SCE's failure to adhere to GO 95, Rule 38's clearance limits resulted in two civilian fatalities and three injuries. Due to SCE's prior history of violations, SED will assess the maximum penalty amount of \$100,000 per day for each violation of GO 95. SCE's failure to cooperate fully with the Commission in its investigation of the Fairview Fire constitutes a violation of Public Utilities Code Section 316. SED has determined that no penalty will be assessed for this violation. Instead, SCE is put on notice that future findings of violation of Public Utilities Code Section 316 can and will result in monetary penalties.</p> <p>M-4846 and Decision (D.) 16-09-055 provide the factors to apply to determine the appropriate penalty within that range, which are discussed in this citation's analysis section. SED applied these factors for each of the three violations and determined a one day duration for GO 95, Rules 37 and 38 and a 20 day duration for GO 95, Rule 19.</p>



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RESPONSE:

Respondent is called upon to provide a response to this Citation by: **5:00 PM on April 21, 2025**. By way of such response, Respondent, **within 30 calendar days**, must either pay the amount of the penalty set forth in this citation,¹ or appeal² the citation. In addition, the Respondent must do one of the following:

- 1) For violations constituting immediate safety hazards: Respondent must immediately correct the immediate safety hazards.
- 2) For violations that do not constitute immediate safety hazards: Violations that do not constitute immediate safety hazards must be corrected within 30 days after the citation is served. If said violations that do not constitute immediate safety hazards cannot be corrected within 30 days, then the Respondent must submit a detailed Compliance Plan to the Director of SED within 30 days after the citation issues, unless the utility and the Director of SED, before the expiration of the 30-day period, agree in writing to another date, reflecting the soonest that the Respondent can correct the violations. The Compliance Plan must provide a detailed description of when the violation will be corrected, the methodology to be utilized, and a statement supported by a declaration from the Respondent's Chief Executive Officer or appropriate designee (CEO Declaration) stating that in the Respondent's best judgment, the time that will be taken to correct the violation will not affect the safety or integrity of the operating system or endanger public safety.

Note: Respondent will forfeit the right to appeal the citation by failing to do one of the options outlined above within 30 days. Payment of a citation or filing a Notice of Appeal does not excuse the Respondent from curing the violation. The amount of the penalty may continue to accrue until a Notice of Appeal is filed. Penalties are stayed during the appeal process. A late payment will be subject to a penalty of 10% per year, compounded daily and to be assessed beginning the calendar day following the payment-due date. The Commission may take additional action to recover any unpaid fine and ensure compliance with applicable statutes and Commission orders.

¹ For fines paid pursuant to Public Utilities Code (Pub. Util. Code) Section 2107 and Decision (D.) 16-09-055 Respondent shall submit a certified check or wire transfer payable to California Public Utilities Commission using the attached Citation Payment Form. Upon payment, the fine will be deposited in the State Treasury to the credit of the General Fund and this citation will become final.

² Respondent may Appeal this citation by completing and submitting a Notice of Appeal Form. Please see the attached document, "Directions For Submitting An Appeal To A Citation Issued Pursuant to Decision 16-09-055" for information on the appeals process and the attached "Notice of Appeal Of Citation Form."



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NOTIFICATION TO LOCAL AUTHORITIES:

As soon as is reasonable and necessary, and no later than 10 calendar days after service of the citation is effected, Respondent must provide a notification to the Chief Administrative Officer or similar authority in the city and county where the violation occurred. Within 10 days of providing such notification, Respondent must serve an affidavit to the Director of SED, at the mail or e-mail address noted below, attesting that the local authorities have been notified; the date(s) for when notification was provided; and the name(s) and contact information for each local authority so notified.

The CPUC expects the Utility to take actions, as soon as feasible, to correct, mitigate, or otherwise make safe all violations noted on the Citation regardless of the Utility's intentions to accept or appeal the violation(s) noted in the Citation.

Lee Palmer
Director

Safety and Enforcement Division
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102
Leslie.Palmer@cpuc.ca.gov



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CITATION PAYMENT FORM

I (we) _____ hereby agree to comply with this citation dated _____,
and have corrected/mitigated the violation(s) noted in the citation on _____ and no later
than _____, _____ all work to make permanent corrections to any mitigated, or
otherwise remaining concerns related to the violation(s) will be completed as noted in the
Compliance Plan we have submitted to the Director of SED and, herewith, pay a fine in the
amount of
\$ _____ as included in the citation.

Signature of Electrical Corporation’s Treasurer, Chief
Financial Officer, or President/Chief Executive Officer, or
delegated Officer thereof

(Signature) (Date)

(Printed Name and Title)

Payment must be with a certified check or wire transfer made payable to the **California Public Utilities Commission** and sent to the below address. Please include the citation number on the memorandum line of the check or money transfer to ensure your payment is properly applied.

California Public Utilities Commission
Attn: Fiscal Office
505 Van Ness Avenue
San Francisco, CA 94102-3298

NOTE: A copy of the completed Citation Payment Form must be sent to the Director of the Safety and Enforcement Division, via email or regular mail, to the address provided on the Citation.



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**DIRECTIONS FOR SUBMITTING AN APPEAL TO A CITATION
ISSUED PURSUANT TO DECISION 16-09-055**

Within 30 calendar days of the Respondent being served with a **CITATION ISSUED PURSUANT TO DECISION 16-09-055**, Respondent may appeal the citation. Beyond 30 calendar days of being served with the citation, Respondent is in default and, as a result, is considered as having forfeited rights to appeal the citation. The Respondent must still correct the violation(s) as instructed in the Response section of this citation.

To appeal the citation, Appellant must file a Notice of Appeal (including a completed title page complying with Rule 1.6 of the Commission's Rules of Practice and Procedure, and attached Notice of Appeal Form) along with copies of any materials the Appellant wants to provide in support of its appeal with the Commission's Docket Office **and** must serve the Notice of Appeal, at a minimum, on:

- 1) The Chief Administrative Law Judge (with an electronic copy to: ALJ_Div_Appeals_Coordinator@cpuc.ca.gov),
- 2) The Director of the Safety and Enforcement Division
- 3) The Executive Director of the California Public Utilities Commission
- 4) General Counsel
- 5) The Director of the Public Advocates Office at the California Public Utilities Commission

at the address listed below within 30 calendar days of the date on which the Appellant is served the Citation. The Appellant must file a proof of service to this effect at the same time the Appellant files the Notice of Appeal. The Notice of Appeal must at a minimum state: (a) the date of the citation that is appealed; and (b) the rationale for the appeal with specificity on all grounds for the appeal of the citation.

California Public Utilities Commission
505 Van Ness Ave.
San Francisco, CA 94102
Attn: <Insert Title>

NOTE: Submission of a *Notice of Appeal Form* in no way diminishes Appellant's responsibility for correcting the violation described in the citation, or otherwise ensuring the safety of facilities or conditions that underlie the violations noted in the Citation.

Ex Parte Communications as defined by Rule 8.1(c) of the Commission's Rules of Practice and Procedure, are prohibited from the date the citation is issued through the date a final order is issued on the citation appeal.



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After receipt of the Appellant's *Notice of Appeal Form*, a hearing will be convened before an Administrative Law Judge. At least ten days before the date of the hearing, the Appellant will be notified and provided with the location, date, and time for the hearing. At the hearing,

- (a) Appellant may be represented by an attorney or other representative, but any such representation shall be at the sole expense of the Appellant;
- (b) Appellant may request a transcript of the hearing, but must pay for the cost of the transcript in accordance with the Commission's usual procedures;
- (c) Appellant is entitled to the services of an interpreter at the Commission's expense upon written request to the Chief Administrative Law Judge not less than five business days prior to the date of the hearing;
- (d) Appellant is entitled to a copy of or electronic reference to "Resolution ALJ-377 Modifies and Makes Permanent the Citation Appellate Rules and General Order I56 Appellate Rules (Citation Appellate Rules)"; and
- (e) Appellant may bring documents to offer in evidence (Rule 13.6 (Evidence) of the Commission's Rules of Practice and Procedure applies) and/or call witnesses to testify on Appellant's behalf. At the Commission's discretion, the hearing in regard to the Appellant's appeal can be held in a CPUC hearing room at either of the following locations:

San Francisco:

505 Van Ness Avenue
San Francisco, CA 94102

Los Angeles:

320 West 4th Street, Suite 500
Los Angeles, CA 90013

The hearing(s) held in regard to the Appellant's appeal will be adjudicated in conformance with all applicable Public Utilities Code requirements.



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Notice of Appeal Form
Appeal from Citation issued by Safety and Enforcement Division
(Pursuant to Decision 16-09-055)

Appellant:

[Name]

[Title]

[Utility Name]

[Mailing Address]

[City, CA Zip Code]

Citation Date: _____

Citation #: D.16-09-055 ____-____-____

Utility/Operator ID#: _____

Appeal Date: _____

“Appeal of _____ from _____
[Utility/Operator Name] [Citation Number]

Issued by the Safety and Enforcement Division”

Statements supporting Appellant’s Appeal of Citation (You may use additional pages if needed and/or attach copies of supporting materials along with this form).



Public Utilities Commission
STATE OF CALIFORNIA

Citation Date: March 21, 2025
Citation #: D.16-09-055 W-25-03-001
Utility/Operator ID#: U338E

Enclosures to Accompany Utility Appeal

Utility to add list of Enclosures as appropriate: