



City of Palo Alto
Utilities Advisory Commission Staff Report

(ID # 10593)

Report Type: Agenda Items
Meeting Date: 10/2/2019**Summary Title: Utilities Related Legislation - Memorandum****Title: Discussion of Update on 2019 Utilities-Related Legislation****From: City Manager****Lead Department: Utilities**

MEMORANDUM

TO: UTILITIES ADVISORY COMMISSION
FROM: UTILITIES DEPARTMENT
DATE: OCTOBER 2, 2019
SUBJECT: Update on 2019 state Utilities-related legislation

The 2019 state legislative session, part one of a two year session, ended on September 13, 2019 and the Governor has until October 13, 2019 to sign or veto all passed bills. Any bills unsigned or without a veto become law. Below is a list of key utility-related bills the City of Palo Alto Utilities Department (CPAU) is tracking, along with their status as of August 27, 2019. *Of note:* these are only the bills with action in 2019, and do not include two-year bills. Staff intends to appear before the UAC in December for a discussion of this past session, items that may arise in the 2020 session, and to gain approval for the 2020 legislative guidelines.

WATER BILLS

AB 756 (Garcia, C.): This bill authorizes the Water Board to order a public water system to monitor for perfluorooctanic acid (PFOA) and perfluorooctane sulfate (PFOS) or Perfluoroalky substances (PFAS) chemicals and requires the water system to provide notice of any exceedance of the response level in the water system's consumer confidence report, unless the water source is taken out of use or new data becomes available to show that the response level is no longer being exceeded. The bill further establishes a customer notification process of any confirmed detection when an exceedance of a PFAS with a notification level is detected.

Status: Signed into law.

SB 134 (Hertzberg): Prohibits the Water Board from imposing liability for violation of water loss performance standards except as part of the enforcement of an urban water use objective. Prior to this bill, it appeared that water systems could be penalized twice for the same violation; this bill clarifies the enforcement mechanism.

Status: To the Governor.

ENERGY BILLS

AB 1054 (Holden): Requires CPAU and other electric publicly owned utilities (POUs) to submit wildfire mitigation plans to the newly-created Wildfire Safety Advisory Board* for review, comment, and an “advisory opinion” on the “content and sufficiency” of the plans. Also annually requires utilities to update the plans and send them to the Advisory Board, and, at least once every three years, complete a comprehensive update of the plan.

Status: Signed into law.

SB 560 (McGuire): Expands requirements of the Wildfire Mitigation Plans such that if a POU, in its plan, describes public notification procedures, those procedures shall direct notification to all public safety offices, critical first responders, health care facilities, and operators of telecommunications infrastructure with premises within the footprint of potential de-energization for a given event.

Status: In the Assembly.

SB 676 (Bradford): This bill requires local publicly owned utilities to "consider" in their Integrated Resource Plans, establishing EV grid integration strategies and evaluating how existing and planned EV grid integration programs may further these strategies.

Status: In the Assembly.

* The Wildfire Safety Advisory Board, created by AB 1054, will consist of seven members appointed by January 1, 2020 by the Governor and legislature. Its mandate is to advise the CPUC's Wildfire Safety Division. While the Advisory Board's review of POU plans may create jurisdictional confusion, an issue raised when the bill was drafted, the intense scrutiny on electric utilities and wildfire mitigation demanded the review element in AB 1054.