

AMENDED IN ASSEMBLY JULY 17, 2025

AMENDED IN ASSEMBLY JULY 10, 2025

AMENDED IN ASSEMBLY JUNE 16, 2025

AMENDED IN SENATE MAY 5, 2025

AMENDED IN SENATE MARCH 26, 2025

SENATE BILL

No. 256

Introduced by Senator Pérez

(Coauthors: Assembly Members Harabedian and Schultz)

February 3, 2025

An act to amend Sections 8386 and 8387 of, to add Sections 762.8 and 8387.6 to, and to add Chapter 8 (commencing with Section 8395) to Division 4.1 of, the Public Utilities Code, relating to electricity.

LEGISLATIVE COUNSEL'S DIGEST

SB 256, as amended, Pérez. Electricity: electrical infrastructure: wildfire mitigation.

Existing law vests the Public Utilities Commission with regulatory authority over public utilities, including electrical corporations, while local publicly owned electric utilities are under the direction of their governing boards. Existing law requires electrical corporations, electrical cooperatives, and local publicly owned electric utilities to construct, maintain, and operate their electrical lines and equipment in a manner that will minimize the risk of catastrophic wildfire, as specified. Existing law requires electrical corporations to annually prepare and submit wildfire mitigation plans to the Office of Energy Infrastructure Safety for review and approval. Existing law also requires local publicly owned electric utilities and electrical cooperatives to annually prepare wildfire

mitigation plans and submit the plans to the California Wildfire Safety Advisory Board, as specified. Existing law requires that each wildfire mitigation plan include, among other things, a description of the preventive strategies and programs to minimize the risk of its electrical lines and equipment causing catastrophic wildfires, and a description of the appropriate and feasible procedures for notifying a customer who may be impacted by the deenergizing of electrical lines, as provided.

This bill would require the commission, on or before January 1, 2027, to update a general order to require each electrical corporation to remove all permanently abandoned facilities, as specified. The bill would require an electrical corporation, for areas affected by wildfire that require electrical distribution infrastructure to be rebuilt, to consider the undergrounding of electrical distribution infrastructure if it is determined to be cost effective compared to other wildfire mitigation strategies.

This bill would require an electrical corporation, for the description in the wildfire mitigation plan of the preventative strategies and programs to minimize the risk of its electrical lines and equipment causing catastrophic wildfires, to include consideration of risks related to the wildland-urban interface. The bill would require an electrical corporation, for the description in the wildfire mitigation plan of the electrical corporation's appropriate and feasible procedures for notifying a customer who may be impacted by the deenergizing of electrical lines, to include consideration of enabling residents within a household who are not the customer of record to subscribe to receive notifications related to deenergization events and of communications with public safety partners, as provided. The bill would require that an electrical corporation's wildfire mitigation plan also include a description of the processes and procedures that the electrical corporation use to coordinate communications with local governments within the service area of the electric corporation, and include an accounting of all transmission facilities, including permanently abandoned facilities, and include a plan for how and when each permanently abandoned facility will be removed and the wildfire mitigation measures that are being implemented to prevent hazards, as provided.

This bill would require local publicly owned electric utilities and electrical cooperatives, for the description in the wildfire mitigation plan of the preventative strategies and programs to minimize the risk of its electrical lines and equipment causing catastrophic wildfires, to include consideration of risks related to the wildland-urban interface. The bill would require a local publicly owned electric utility or electrical

cooperative's wildfire mitigation plan to include a description of the processes and procedures by which the local publicly owned electric utility or electrical cooperative coordinates communication with local governments within the service area of the local publicly owned electric utility or electrical cooperative, as specified.

Existing law, the California Emergency Services Act, establishes, within the office of the Governor, the Office of Emergency Services (OES) under the supervision of the Director of Emergency Services. Existing law requires OES to establish a standardized emergency management system for use by all emergency response agencies.

This bill would require certain electrical corporations and local publicly owned electric utilities, in cooperation with OES and other emergency service agencies, to establish procedures for the coordination of efforts between electrical corporations and local publicly owned electric utilities and their representatives and those of emergency response agencies. The bill would require these electrical corporations and local publicly owned electric utilities to assign *liaison* representatives to work within each ~~state regional~~ *local* operations center ~~when requested by the state regional operations center~~, as provided.

Under existing law, a violation of any order, decision, rule, direction, demand, or requirement of the commission is a crime.

Because a violation of a commission action implementing certain of this bill's requirements would be a crime, the bill would impose a state-mandated local program.

Additionally, by imposing new duties on local publicly owned electric utilities, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for specified reasons.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares both of the
- 2 following:
- 3 (a) To ensure safety and affordability in the face of catastrophic
- 4 wildfires in the State of California, it is the intent of the Legislature

1 to find sustainable ways to finance mitigation strategies for
2 ratepayers and Californians.

3 (b) It is the intent of the Legislature that fire risk mitigation
4 capital expenditures, including the decommissioning of
5 permanently abandoned facilities and the undergrounding of
6 electrical distribution infrastructure after a wildfire event, be
7 financed in ways that reduce the impact to ratepayers.

8 SEC. 2. Section 762.8 is added to the Public Utilities Code, to
9 read:

10 762.8. (a) On or before January 1, 2027, the commission shall
11 update General Order No. 95, as revised on December 19, 2024,
12 by commission Resolution ESRB-12, to require each electrical
13 corporation to remove all permanently abandoned facilities in order
14 to prevent public nuisances or hazards to life or property.

15 (b) The commission shall ensure all applicable safety
16 requirements, including wildfire mitigation measures, apply to
17 permanently abandoned facilities until they are removed.

18 (c) This section does not, and the update required pursuant to
19 subdivision (a) shall not, impact an electrical corporation's right
20 to an easement.

21 (d) For purposes of this section, "permanently abandoned
22 facility" means a facility that is out of service and the owner cannot
23 demonstrate, with appropriate documentation, an intent to place
24 the facility, or portions of the facility, into service within a time
25 determined by the commission.

26 SEC. 3. Section 8386 of the Public Utilities Code is amended
27 to read:

28 8386. (a) Each electrical corporation shall construct, maintain,
29 and operate its electrical lines and equipment in a manner that will
30 minimize the risk of catastrophic wildfire posed by those electrical
31 lines and equipment.

32 (b) Each electrical corporation shall annually prepare and submit
33 a wildfire mitigation plan to the Wildfire Safety Division for review
34 and approval. In calendar year 2020, and thereafter, the plan shall
35 cover at least a three-year period. The division shall establish a
36 schedule for the submission of subsequent comprehensive wildfire
37 mitigation plans, which may allow for the staggering of compliance
38 periods for each electrical corporation. In its discretion, the division
39 may allow the annual submissions to be updates to the last
40 approved comprehensive wildfire mitigation plan; provided, that

1 each electrical corporation shall submit a comprehensive wildfire
2 mitigation plan at least once every three years.

3 (c) The wildfire mitigation plan shall include all of the
4 following:

5 (1) An accounting of the responsibilities of persons responsible
6 for executing the plan.

7 (2) The objectives of the plan.

8 (3) A description of the preventive strategies and programs to
9 be adopted by the electrical corporation to minimize the risk of its
10 electrical lines and equipment causing catastrophic wildfires,
11 including consideration of dynamic climate change risks and risks
12 related to the wildland-urban interface.

13 (4) A description of the metrics the electrical corporation plans
14 to use to evaluate the plan's performance and the assumptions that
15 underlie the use of those metrics.

16 (5) A discussion of how the application of previously identified
17 metrics to previous plan performances has informed the plan.

18 (6) A description of the electrical corporation's protocols for
19 disabling reclosers and deenergizing portions of the electrical
20 distribution system that consider the associated impacts on public
21 safety. As part of these protocols, each electrical corporation shall
22 include protocols related to mitigating the public safety impacts
23 of disabling reclosers and deenergizing portions of the electrical
24 distribution system that consider the impacts on all of the
25 following:

26 (A) Critical first responders.

27 (B) Health and communication infrastructure.

28 (C) Customers who receive medical baseline allowances
29 pursuant to subdivision (c) of Section 739. The electrical
30 corporation may deploy backup electrical resources or provide
31 financial assistance for backup electrical resources to a customer
32 receiving a medical baseline allowance for a customer who meets
33 all of the following requirements:

34 (i) The customer relies on life-support equipment that operates
35 on electricity to sustain life.

36 (ii) The customer demonstrates financial need, including through
37 enrollment in the California Alternate Rates for Energy program
38 continued pursuant to Section 739.1.

1 (iii) The customer is not eligible for backup electrical resources
2 provided through medical services, medical insurance, or
3 community resources.

4 (D) Subparagraph (C) shall not be construed as preventing an
5 electrical corporation from deploying backup electrical resources
6 or providing financial assistance for backup electrical resources
7 under any other authority.

8 (7) (A) A description of the electrical corporation's appropriate
9 and feasible procedures for notifying a customer who may be
10 impacted by the deenergizing of electrical lines, including
11 procedures for those customers receiving medical baseline
12 allowances as described in paragraph (6). The procedures shall
13 direct notification to all public safety offices, critical first
14 responders, health care facilities, and operators of
15 telecommunications infrastructure with premises within the
16 footprint of potential deenergization for a given event. The
17 procedures shall comply with any orders of the commission
18 regarding notifications of deenergization events.

19 (B) The procedures shall include consideration of enabling
20 residents within a household who are not the customer of record
21 to subscribe to receive notifications related to deenergization
22 events.

23 (C) The procedures shall include consideration of
24 communications with public safety partners who have the ability
25 to coordinate with the electrical corporation to provide broader
26 messaging to affected communities.

27 (8) Identification of circuits that have frequently been
28 deenergized pursuant to a deenergization event to mitigate the risk
29 of wildfire and the measures taken, or planned to be taken, by the
30 electrical corporation to reduce the need for, and impact of, future
31 deenergization of those circuits, including, but not limited to, the
32 estimated annual decline in circuit deenergization and
33 deenergization impact on customers, and replacing, hardening, or
34 undergrounding any portion of the circuit or of upstream
35 transmission or distribution lines.

36 (9) Plans for vegetation management.

37 (10) Plans for inspections of the electrical corporation's
38 electrical infrastructure.

39 (11) A description of the electrical corporation's protocols for
40 the deenergization of the electrical corporation's transmission

1 infrastructure, for instances when the deenergization may impact
2 customers who, or entities that, are dependent upon the
3 infrastructure. The protocols shall comply with any order of the
4 commission regarding deenergization events.

5 (12) A list that identifies, describes, and prioritizes all wildfire
6 risks, and drivers for those risks, throughout the electrical
7 corporation's service territory, including all relevant wildfire risk
8 and risk mitigation information that is part of the commission's
9 Safety Model Assessment Proceeding (A.15-05-002, et al.) and
10 the Risk Assessment Mitigation Phase filings. The list shall include,
11 but not be limited to, both of the following:

12 (A) Risks and risk drivers associated with design, construction,
13 operations, and maintenance of the electrical corporation's
14 equipment and facilities.

15 (B) Particular risks and risk drivers associated with topographic
16 and climatological risk factors throughout the different parts of
17 the electrical corporation's service territory.

18 (13) A description of how the plan accounts for the wildfire risk
19 identified in the electrical corporation's Risk Assessment
20 Mitigation Phase filing.

21 (14) A description of the actions the electrical corporation will
22 take to ensure its system will achieve the highest level of safety,
23 reliability, and resiliency, and to ensure that its system is prepared
24 for a major event, including hardening and modernizing its
25 infrastructure with improved engineering, system design, standards,
26 equipment, and facilities, such as undergrounding, insulating of
27 distribution wires, and replacing poles.

28 (15) A description of where and how the electrical corporation
29 considered undergrounding electrical distribution lines within those
30 areas of its service territory identified to have the highest wildfire
31 risk in a commission fire threat map.

32 (16) A showing that the electrical corporation has an adequately
33 sized and trained workforce to promptly restore service after a
34 major event, taking into account employees of other utilities
35 pursuant to mutual aid agreements and employees of entities that
36 have entered into contracts with the electrical corporation.

37 (17) Identification of any geographic area in the electrical
38 corporation's service territory that is a higher wildfire threat than
39 is currently identified in a commission fire threat map, and where

1 the commission should consider expanding the high fire threat
2 district based on new information or changes in the environment.

3 (18) A methodology for identifying and presenting
4 enterprisewide safety risk and wildfire-related risk that is consistent
5 with the methodology used by other electrical corporations unless
6 the commission determines otherwise.

7 (19) A description of how the plan is consistent with the
8 electrical corporation's disaster and emergency preparedness plan
9 prepared pursuant to Section 768.6, including both of the following:

10 (A) Plans to prepare for, and to restore service after, a wildfire,
11 including workforce mobilization and prepositioning equipment
12 and employees.

13 (B) Plans for community outreach and public awareness before,
14 during, and after a wildfire, including language notification in
15 English, Spanish, and the top three primary languages used in the
16 state other than English or Spanish, as determined by the
17 commission based on the United States Census data.

18 (20) A statement of how the electrical corporation will restore
19 service after a wildfire.

20 (21) Protocols for compliance with requirements adopted by
21 the commission regarding activities to support customers during
22 and after a wildfire, outage reporting, support for low-income
23 customers, billing adjustments, deposit waivers, extended payment
24 plans, suspension of disconnection and nonpayment fees, repair
25 processing and timing, access to electrical corporation
26 representatives, and emergency communications.

27 (22) A description of the processes and procedures the electrical
28 corporation will use to do all of the following:

29 (A) Monitor and audit the implementation of the plan.

30 (B) Identify any deficiencies in the plan or the plan's
31 implementation and correct those deficiencies.

32 (C) Monitor and audit the effectiveness of electrical line and
33 equipment inspections, including inspections performed by
34 contractors, carried out under the plan and other applicable statutes
35 and commission rules.

36 (23) Any other information that the Wildfire Safety Division
37 may require.

38 (24) A description of the processes and procedures that the
39 electrical corporation uses to coordinate its communications with
40 local governments within the service area of the electric

1 corporation, including fire officials and emergency response
2 officials, as part of the preparation of the wildfire mitigation plan
3 and during a wildfire-related emergencies.

4 (25) (A) An accounting of all transmission facilities, including
5 a list of facilities that are in service, facilities that are out of service,
6 and permanently abandoned facilities that are transmission
7 facilities. For permanently abandoned facilities that are
8 transmission facilities, the accounting shall include a plan for how
9 and when each facility will be removed and the wildfire mitigation
10 measures that are being implemented to prevent hazards, including,
11 but not limited to, induction.

12 (B) For purposes of this paragraph, “permanently abandoned
13 facilities” has the same meaning as defined in Section 762.8.

14 (d) The Wildfire Safety Division shall post all wildfire
15 mitigation plans and annual updates on the commission’s internet
16 website before July 1, 2021, and on the office’s internet website
17 beginning July 1, 2021, for no less than two months before the
18 division’s or office’s decision regarding approval of the plan. The
19 division or office shall accept comments on each plan from the
20 public, other local and state agencies, and interested parties, and
21 verify that the plan complies with all applicable rules, regulations,
22 and standards, as appropriate.

23 SEC. 4. Section 8387 of the Public Utilities Code is amended
24 to read:

25 8387. (a) Each local publicly owned electric utility and
26 electrical cooperative shall construct, maintain, and operate its
27 electrical lines and equipment in a manner that will minimize the
28 risk of wildfire posed by those electrical lines and equipment.

29 (b) (1) The local publicly owned electric utility or electrical
30 cooperative shall, before January 1, 2020, prepare a wildfire
31 mitigation plan. After January 1, 2020, a local publicly owned
32 electric utility or electrical cooperative shall prepare a wildfire
33 mitigation plan annually and shall submit the plan to the California
34 Wildfire Safety Advisory Board on or before July 1 of that calendar
35 year. Each local publicly owned electric utility and electrical
36 cooperative shall update its plan annually and submit the update
37 to the California Wildfire Safety Advisory Board by July 1 of each
38 year. At least once every three years, the submission shall be a
39 comprehensive revision of the plan.

1 (2) The wildfire mitigation plan shall consider as necessary, at
2 minimum, all of the following:

3 (A) An accounting of the responsibilities of persons responsible
4 for executing the plan.

5 (B) The objectives of the wildfire mitigation plan.

6 (C) A description of the preventive strategies and programs to
7 be adopted by the local publicly owned electric utility or electrical
8 cooperative to minimize the risk of its electrical lines and
9 equipment causing catastrophic wildfires, including consideration
10 of dynamic climate change risks and risks related to the
11 wildland-urban interface.

12 (D) A description of the metrics the local publicly owned electric
13 utility or electrical cooperative plans to use to evaluate the wildfire
14 mitigation plan's performance and the assumptions that underlie
15 the use of those metrics.

16 (E) A discussion of how the application of previously identified
17 metrics to previous wildfire mitigation plan performances has
18 informed the wildfire mitigation plan.

19 (F) Protocols for disabling reclosers and deenergizing portions
20 of the electrical distribution system that consider the associated
21 impacts on public safety, as well as protocols related to mitigating
22 the public safety impacts of those protocols, including impacts on
23 critical first responders and on health and communication
24 infrastructure.

25 (G) Appropriate and feasible procedures for notifying a customer
26 who may be impacted by the deenergizing of electrical lines. The
27 procedures shall direct notification to all public safety offices,
28 critical first responders, health care facilities, and operators of
29 telecommunications infrastructure with premises within the
30 footprint of potential deenergization for a given event.

31 (H) Plans for vegetation management.

32 (I) Plans for inspections of the local publicly owned electric
33 utility's or electrical cooperative's electrical infrastructure.

34 (J) A list that identifies, describes, and prioritizes all wildfire
35 risks, and drivers for those risks, throughout the local publicly
36 owned electric utility's or electrical cooperative's service territory.
37 The list shall include, but not be limited to, both of the following:

38 (i) Risks and risk drivers associated with design, construction,
39 operation, and maintenance of the local publicly owned electric
40 utility's or electrical cooperative's equipment and facilities.

1 (ii) Particular risks and risk drivers associated with topographic
2 and climatological risk factors throughout the different parts of
3 the local publicly owned electric utility's or electrical cooperative's
4 service territory.

5 (K) Identification of any geographic area in the local publicly
6 owned electric utility's or electrical cooperative's service territory
7 that is a higher wildfire threat than is identified in a commission
8 fire threat map, and identification of where the commission should
9 expand a high fire-threat district based on new information or
10 changes to the environment.

11 (L) A methodology for identifying and presenting enterprisewide
12 safety risk and wildfire-related risk.

13 (M) A statement of how the local publicly owned electric utility
14 or electrical cooperative will restore service after a wildfire.

15 (N) A description of the processes and procedures the local
16 publicly owned electric utility or electrical cooperative shall use
17 to do all of the following:

18 (i) Monitor and audit the implementation of the wildfire
19 mitigation plan.

20 (ii) Identify any deficiencies in the wildfire mitigation plan or
21 its implementation, and correct those deficiencies.

22 (iii) Monitor and audit the effectiveness of electrical line and
23 equipment inspections, including inspections performed by
24 contractors, that are carried out under the plan, other applicable
25 statutes, or commission rules.

26 (O) A description of the processes and procedures by which the
27 local publicly owned electric utility or electrical cooperative
28 coordinates communication with local governments within the
29 service area of the local publicly owned electric utility or electrical
30 cooperative, including fire officials and emergency response
31 officials, as part of the preparation of the wildfire mitigation plan
32 and during a wildfire-related emergency.

33 (3) The local publicly owned electric utility or electrical
34 cooperative shall, on or before January 1, 2020, and not less than
35 annually thereafter, present its wildfire mitigation plan in an
36 appropriately noticed public meeting. The local publicly owned
37 electric utility or electrical cooperative shall accept comments on
38 its wildfire mitigation plan from the public, other local and state
39 agencies, and interested parties, and shall verify that the wildfire

1 mitigation plan complies with all applicable rules, regulations, and
2 standards, as appropriate.

3 (c) The local publicly owned electric utility or electrical
4 cooperative shall contract with a qualified independent evaluator
5 with experience in assessing the safe operation of electrical
6 infrastructure to review and assess the comprehensiveness of its
7 wildfire mitigation plan. The independent evaluator shall issue a
8 report that shall be made available on the internet website of the
9 local publicly owned electric utility or electrical cooperative, and
10 shall present the report at a public meeting of the local publicly
11 owned electric utility's or electrical cooperative's governing board.

12 SEC. 5. Section 8387.6 is added to the Public Utilities Code,
13 to read:

14 8387.6. For areas affected by wildfires that require electrical
15 distribution infrastructure to be rebuilt by an electrical corporation,
16 the electrical corporation shall consider the undergrounding of
17 electrical distribution infrastructure if it is determined to be cost
18 effective compared to other wildfire mitigation strategies.

19 SEC. 6. Chapter 8 (commencing with Section 8395) is added
20 to Division 4.1 of the Public Utilities Code, to read:

21
22 CHAPTER 8. ~~REGIONAL~~ EMERGENCY OPERATIONS
23

24 8395. (a) All electrical corporations and local publicly owned
25 electric utilities that have a service area that overlaps with the
26 boundaries of a ~~state regional emergency~~ *local* operations center,
27 in cooperation with the Office of Emergency Services and other
28 emergency service agencies, shall establish procedures for the
29 coordination of efforts between electrical corporations and local
30 publicly owned electric utilities and their representatives and those
31 of emergency response agencies.

32 (b) All electrical corporations and local publicly owned electric
33 utilities subject to subdivision (a) shall assign a *liaison*
34 representative to work within each ~~state regional~~ *local* operations
35 center that has boundaries that overlap with the electrical
36 corporation's or local publicly owned electric utility's service ~~area~~
37 ~~when requested by the state regional operations center.~~ *area*. The
38 representative shall complete the appropriate annual emergency
39 ~~management training, sufficient to enable them to perform their~~
40 ~~assigned role, that is provided under the Standardized Emergency~~

1 Management System—~~framework~~, and National Incident
2 Management System trainings sufficient to enable them to assist
3 activated emergency operations centers, to the fullest extent
4 possible.

5 SEC. 7. No reimbursement is required by this act pursuant to
6 Section 6 of Article XIII B of the California Constitution because
7 a local agency or school district has the authority to levy service
8 charges, fees, or assessments sufficient to pay for the program or
9 level of service mandated by this act or because costs that may be
10 incurred by a local agency or school district will be incurred
11 because this act creates a new crime or infraction, eliminates a
12 crime or infraction, or changes the penalty for a crime or infraction,
13 within the meaning of Section 17556 of the Government Code, or
14 changes the definition of a crime within the meaning of Section 6
15 of Article XIII B of the California Constitution.