



SB-292 Electricity: wildfire mitigation: deenergization events and reliability. (2025-2026)

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CALIFORNIA LEGISLATURE— 2025–2026 REGULAR SESSION

SENATE BILL

NO. 292

Introduced by Senator Cervantes

February 06, 2025

An act to amend Section 2774.1 of, to add Sections 8387.2 and 8387.4 to, and to add Part 4 (commencing with Section 9540) to Division 4.8 of, the Public Utilities Code, relating to electricity.

LEGISLATIVE COUNSEL'S DIGEST

SB 292, Cervantes. Electricity: wildfire mitigation: deenergization events and reliability.

Existing law requires electrical corporations, local publicly owned electric utilities, and electrical cooperatives to annually prepare wildfire mitigation plans that include, among other things, descriptions of protocols for disabling reclosers and deenergizing portions of the electrical distribution system that consider the associated impacts on public safety and protocols related to mitigating public safety impacts of disabling reclosers and deenergizing portions of the electrical distribution system. Existing law requires the wildfire mitigation plans of electrical corporations to identify circuits that have frequently been deenergized pursuant to a deenergization event to mitigate the risk of wildfire and the measures taken, or planned to be taken, by the electrical corporation to reduce the need for, and impact of, future deenergization of those circuits.

This bill would require electrical corporations to work with representatives of state agencies and community-based organizations that serve, advocate on behalf of, or serve and advocate on behalf of, persons from the access and functional needs population,

as defined, to develop and make publicly available a plan to support that population during deenergization events, as provided. The bill would require electrical corporations, after each deenergization event, to prepare a post-deenergization event report, as provided, and would require the report to be filed, served, distributed, and published, as specified. The bill would require the Public Utilities Commission, on or before January 1, 2027, to determine whether that report should also include other specified information.

Existing law requires the commission to require an electrical corporation to include in an annual reliability report information on the reliability of service to end-use customers that identifies the frequency and duration of interruptions of service. Existing law requires that information in the annual reliability report prepared by an electrical corporation and made publicly available be provided with sufficient confidentiality to protect electrical system security.

This bill would require the commission, on or before January 1, 2027, to determine whether its existing policies, procedures, and rules should be revised or enhanced to augment the safety and reliability of the electrical distribution system, as provided. The bill would require a local publicly owned electric utility to prepare an annual reliability report that identifies the frequency and duration of interruptions of service and includes certain other information. The bill would require that information in the annual reliability report prepared by the local publicly owned electric utility and made publicly available be provided with sufficient confidentiality to protect electrical system security. By imposing additional duties on a local publicly owned electric utility, the bill would impose a state-mandated local program.

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 this bill's requirements would be a crime, the bill would impose a state-mandated local program.

Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.

This bill would make legislative findings to that effect.

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 Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 2774.1 of the Public Utilities Code is amended to read:

2774.1. (a) (1) The commission shall require an electrical corporation to include in an annual reliability report, required pursuant to Decision 96-09-045, as amended, or a decision that supersedes Decision 96-09-045, information on the reliability of service to end use customers that identifies, but is not limited to, the frequency and duration of interruptions in services. This information shall indicate areas with both the most frequent and longest outages, using local areas determined by the commission. The commission, in consultation with the electrical corporation, shall ensure that the geographical boundaries of local areas do not split up circuits for reporting purposes, if the electrical corporation aggregates data by circuits. The information shall be sufficiently aggregated to both maintain electrical system security, and be of use and relevance to affected customers of the electrical corporation.

(2) Before July 1, 2014, the commission shall determine the local areas for the purposes of paragraph (1).

(3) The requirements of paragraph (1) shall apply to annual reliability reports due after July 1, 2014.

(4) (A) On or before January 1, 2027, the commission shall determine, as part of the proceeding in Rulemaking 24-05-023 (June 6, 2024), Order Instituting Rulemaking to Update Rules for the Safety, Reliability, and Resiliency of Electrical Distribution Systems, or a successor proceeding, whether its existing policies, procedures, and rules should be revised or enhanced to augment the safety and reliability of the electrical distribution system. This determination shall consider, but not be limited to, all of the following:

(i) Enhancements or updates to annual reliability reports, including, but not limited to, reliability statistics of census tracts or other jurisdictions.

(ii) Data or statistics to aid the commission's understanding of whether there are patterns of electrical outages that disproportionately affect tribal governments or rural, disadvantaged, or low-income communities.

(iii) Updates to General Order 166 for purposes of reliability thresholds and reporting requirements.

(B) The determination made by the commission pursuant to this paragraph does not affect the obligations of a local publicly owned electric utility pursuant to Section 9540.

(5) The electrical corporation shall conspicuously post on its internet website the annual reliability report required pursuant to Decision 96-09-045, as amended, or a decision that supersedes Decision 96-09-045.

(b) (1) The commission shall use the information contained in an electrical corporation's annual reliability report to require cost-effective remediation of reliability deficiencies if the report, or more than one report, identifies repeated deficiencies in the same local area as determined by the commission pursuant to paragraph (1) of subdivision (a). In requiring cost-effective remediation, the commission shall consult with the electrical corporation and consider mitigating factors that may impede an electrical corporation from implementing required cost-effective remediation, including, but not limited to, local permitting matters or other events or conditions or public policy considerations that may present higher priority safety or reliability issues.

(2) The commission may suspend the requirements of paragraph (1) if the commission finds that expenditures by the electrical corporation to comply with that paragraph are not justified or that the remediation measures undertaken by the electrical corporation are not effective at improving reliability.

(c) (1) The commission may order an electrical corporation to make more frequent trend analyses of local area service reliability and to make those analyses publicly available.

(2) The information made publicly available shall provide sufficient confidentiality for purposes of protecting electrical system security.

(3) The commission may make those analyses publicly available.

SEC. 2. Section 8387.2 is added to the Public Utilities Code, to read:

8387.2. (a) For purposes of this section, "access and functional needs population" has the same meaning as set forth in Section 8593.3 of the Government Code.

(b) Each electrical corporation shall work with representatives of state agencies and community-based organizations that serve, or advocate on behalf of, or both serve and advocate on behalf of, an access and functional needs population to develop and make publicly available a plan to support the access and functional needs population during a deenergization event, consistent with the commission's orders regarding deenergization.

(c) An electrical corporation shall submit the plan developed pursuant to subdivision (b) to the commission.

SEC. 3. Section 8387.4 is added to the Public Utilities Code, to read:

8387.4. (a) After each deenergization event, an electrical corporation shall prepare a post-deenergization event report on the deenergization event that complies with the commission's reporting requirements established in a proceeding pursuant to Rulemaking 18-12-005 (December 19, 2018), Order Instituting Rulemaking to Examine Electric Utility De-Energization of Power Lines in Dangerous Conditions, or a successor proceeding, and any additional requirements determined by the Safety and Enforcement Division of the commission.

(b) On or before January 1, 2027, the commission shall determine whether the post-deenergization event report provided by an electrical corporation should include either of the following:

(1) Geospatial data on the locations of any circuit or circuit segments involved in the deenergization event mapped onto the service territory of the reporting entity and statistics describing the census tract-level impacts of the deenergization event to provide for a comparison of severity of the impacts caused by the deenergization event based on locations and populations affected.

(2) Information regarding the deenergization event disaggregated by census tract and whether the census tract is a disadvantaged community, as identified pursuant to Section 39711 of the Health and Safety Code.

(c) A report prepared pursuant to this section shall be filed, served, and distributed in accordance with the commission's requirements established through a proceeding pursuant to Rulemaking 18-12-005 (December 19, 2018), Order Instituting Rulemaking to Examine Electric Utility De-Energization of Power Lines in Dangerous Conditions, or a successor proceeding. The report shall also be provided to the locally elected body and the city manager or the chief administrative officer of the cities and

counties affected by the deenergization event to allow those local public entities to understand the location and scale of deenergization event impacts and to make appropriate decisions accordingly. The report shall be published and made publicly available on the electrical corporation's internet website. The report shall be updated each year and submitted to the commission.

SEC. 4. Part 4 (commencing with Section 9540) is added to Division 4.8 of the Public Utilities Code, to read:

PART 4. Reliability

9540. (a) A local publicly owned electric utility shall prepare and make publicly available, by posting conspicuously on its internet website, an annual reliability report that identifies, but is not limited to, the frequency and duration of interruptions in services. The report may include any of the following information:

(1) System- and division-level reliability, if relevant to that utility's system.

(2) Reliability statistics at census tracts or smaller resolutions.

(3) Reliability statistics for customers that receive a form of financial assistance, including, but not limited to, enrollment in an income-qualifying rate assistance program or assistance program for energy allowances related to medical necessity.

(b) The reliability metrics described in subdivision (a) shall be reported with the worst performing circuits and shall include major event days.

(c) (1) The local publicly owned electric utility shall submit the annual reliability report to the Energy Commission.

(2) The information made publicly available shall provide sufficient confidentiality for purposes of protecting electrical system security.

SEC. 5. The Legislature finds and declares that Section 4 of this act, which adds Section 9540 to the Public Utilities Code, imposes a limitation on the public's right of access to the meetings of public bodies or the writings of public officials and agencies within the meaning of Section 3 of Article I of the California Constitution. Pursuant to that constitutional provision, the Legislature makes the following findings to demonstrate the interest protected by this limitation and the need for protecting that interest:

To protect electrical system security, it is necessary to limit the public disclosure of information related to the security of the electrical system and for that information to be provided with sufficient confidentiality.

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