

Judge reprimands PG&E, issues new probation terms

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A federal judge in San Francisco tasked with forcing Pacific Gas and Electric Co. to improve safety practices ordered the company to hire a team of vegetation management inspectors, design a system to assess equipment and dramatically bolster record-keeping, among other new terms of probation.

In a sharply-worded reprimand of its safety performance, U.S. District Judge [William Alsup](#) accused the company of being unable to "safely deliver power to California" despite being the largest privately-owned utility in America.

"This failure is upon us because for years, in order to enlarge dividends, bonuses, and political contributions, PG&E cheated on maintenance of its grid -- to the point that the grid became unsafe to operate during our annual high winds, so unsafe that the grid itself failed and ignited many catastrophic wildfires," he wrote in a Wednesday ruling. *USA v. Pacific Gas and Electric Co.*, 14-CR-00175 (N.D. Cal., filed April 1, 2014).

PG&E is reviewing the order, according to spokesman James Noonan in an e-mailed statement.

"We share the court's focus on safety and recognize we must take a leading role in working to prevent catastrophic wildfires," the statement read.

Alsup oversees PG&E's criminal probation for records falsification related to the 2010 San Bruno gas pipeline explosion that killed eight people. The order comes after a PG&E attorney said in February it remained "unable to certify perfect compliance" with goals outlined in its state-mandated wildfire mitigation plan.

According to the Department of Forestry and Fire Protection, the 2018 Camp Fire, which killed 85 people and destroyed roughly 18,400 structures, started when a worn piece of equipment on a transmission tower failed, which caused a charged line to come into contact with vegetation.

PG&E failed to properly oversee vegetation management efforts by contractors or keep adequate records to back up its work, Alsup concluded.

The utility has long outsourced work related to the identification and removal of vegetation dangerously close to power lines. It now has 1,000 inspectors to flag trees that violate clearance requirements and 5,000 trimmers to remove the vegetation.

But Alsup found PG&E routinely fails to eliminate hazardous trees. In 2019, the court-appointed monitor to scrutinize its work identified 3,280 "risk" trees the company's contractors failed to identify, including 15 "urgent" cases that could have caused fatalities or serious damage.

In one instance, the monitor identified a tree singed by intermittent contact with a conductor inches away that had been reported as completed work. Nine others where PG&E records mistakenly indicated that trees had been cleared were identified.

Alsup said "PG&E's outsourcing scheme remains sloppy and unreliable."

The utility will now be forced to employ an in-house team of inspectors -- one to study the lines to mark trees and limbs in need of removal and another to spot-check contractors' work.

Twenty-two thousand trees identified by PG&E as "hazardous" remain unworked, according to the order. The utility received more than 40 notices from regulatory agencies last year for clearance violations.

Alsup blasted PG&E for passing blame by insisting all of its equipment had been inspected and any noted faults addressed. In the aftermath of the Kincade Fire, which scorched nearly 80,000 acres and destroyed 120 structures, it reported three inspections of the Sonoma County transmission tower which sparked the blaze that failed to spot dangerous conditions.

"Was this because the inspections were poorly designed or was it because they were poorly executed?" he asked "Had someone falsified inspection reports? It is hard to get a straight answer from PG&E. The offender is masterful at falling back on the inspection reports and saying 'See, Judge, we had that very line inspected and all was well,' or, 'We fixed whatever they found wrong. We did our part.' The reports, however, are a mere courtroom prop."

PG&E must now create a system to assess its infrastructure, video tape every inspection and keep records identifying the age of all of its equipment. Furthermore, its contractors will be required to have enough insurance to cover losses suffered by the public if a wildfire is started because inspections were insufficient.

PG&E has until May 28 to submit its plan to hire vegetation management inspectors and devise a new inspection system.

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