



Arcing bare copper wire on Lompico Road. Zayante Fire arrived and kept it under observation until PG&E came to turn off the power over two hours later. Luckily, it was a wet day.

Photo by Kevin Collins, taken near his home.

**THE POTENTIAL OF A NEW FRANCHISE AGREEMENT WITH  
PACIFIC GAS & ELECTRIC**  
**Presented by**  
**The Valley Women's Club of San Lorenzo Valley, Inc.,  
Environmental Committee**



**The Franchise Agreement with PG&E is out of date, inadequate and detrimental to our wellbeing.**

**It must be renegotiated to address the current *Values* from the *Santa Cruz County Strategic Plan*, to improve safety and reliability, to protect our watershed, potentially increase revenue, and secure a clean energy future.**



# Why Renegotiate Our Franchise Agreement with PG&E?

**A new FA would provide the County the opportunity to bring PG&E infrastructure, policies and procedures into the 21st century.**

***PG&E has failed to provide the basic requirements of safe and reliable electricity service.***

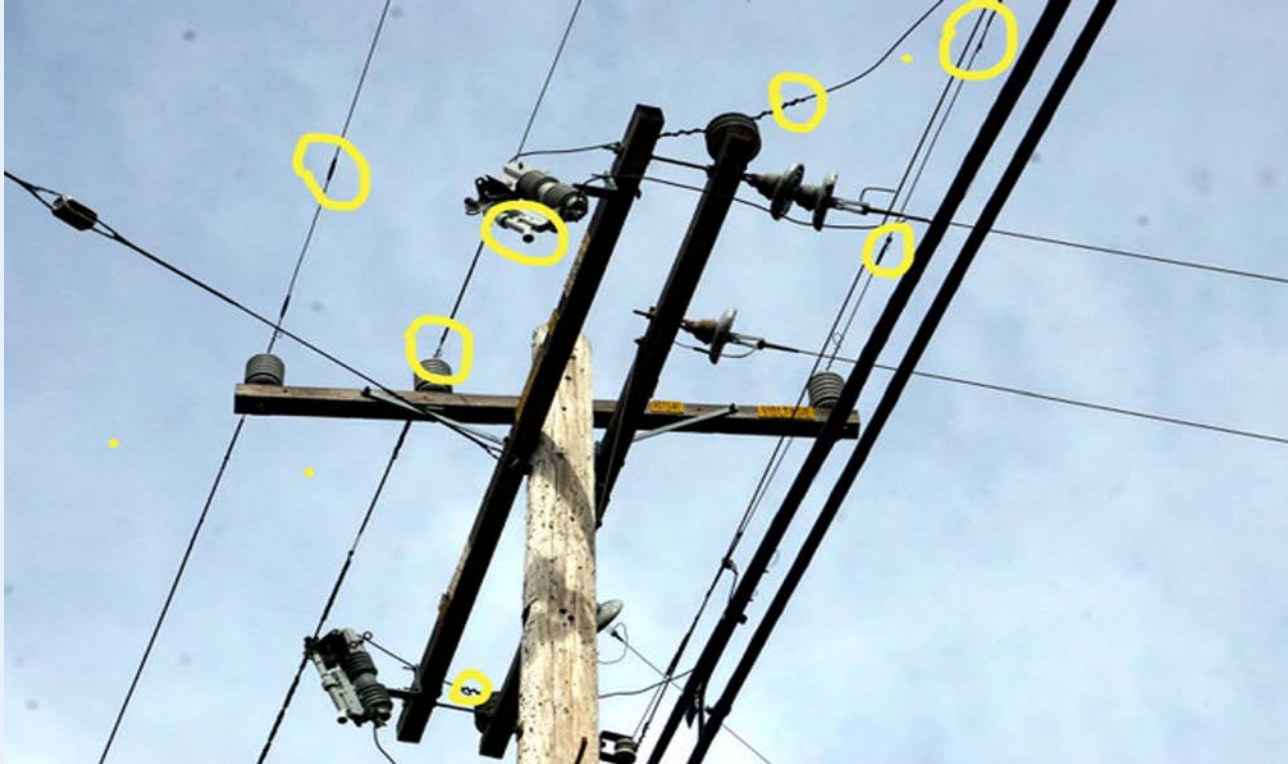
**It is impeding the crucial transition to non-fossil fuel power by pressuring the CPUC to reduce the Net Energy Metering compensation that effectively expanded roof-top solar development.**

- Far too much of its equipment is antiquated, and dangerous.
- Its system is fundamentally unreliable. Its no-warning “Fast Trip” Emergency Power Line Safety Shutoffs (EPSSs) have no end in sight.
- Rates are unaffordable and getting worse.
- Climate Change impacts are accelerating.

Taken outside my home on Lompico Road, this is a "high impedance arc fault" (a major cause of wildfire ignitions), from a single downed bare wire arcing to earth. PG&E took over 2 hours to respond on site to a 9/11 call reporting this deadly electrical hazard. Readily available, tested equipment on the international electrical engineering market is available to protect against this fault.

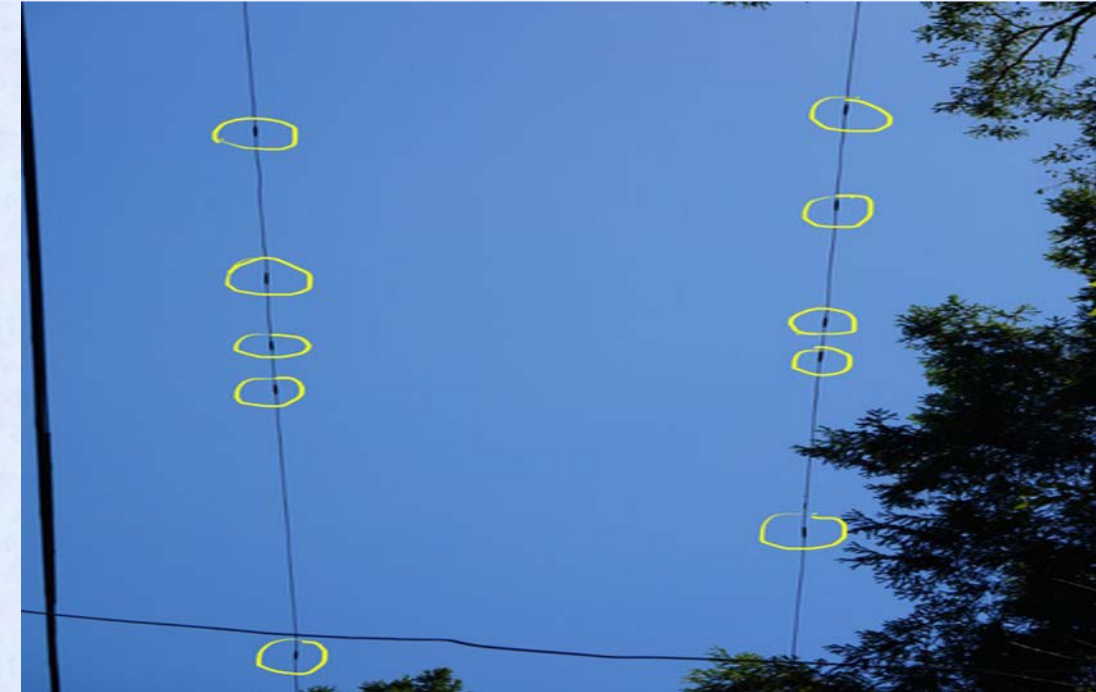






Standard PG&E Distribution line power pole: aged pole, multiple wire splices, likely expulsion fuses, twisted connections, single strand #6 copper wire main conductors, and flimsy bare jumper connections (circled)  
Unreliable and Unsafe.

Same power lines on Lompico Rd. showing ten splices in one span. (Same circuit that came down and caused the arc fault to earth.) This is antiquated, obsolete, bare, small diameter copper wire. PG&E has over 20,000 circuit miles of this wire in use across its service area, including here in the Santa Cruz Mountains – and in our local cities and towns as well.



# What Legal Power Does the County Have?

- Under common law, the County has the right to abandon the contract or to negotiate a new agreement. (Section 3, original Ordinance/Franchise Agreement)
- Public Utilities Code § 2901 and 2902, provide a municipality legitimacy in disputes affecting the health, convenience and safety of the general public.
- Additional Public Utilities Code references include, but are not limited to, the following: 6203, 6291 to 6294, allowing the County to impose other terms and conditions “in the public interest.”
- Public Resources Code 4117 provides for ordinances to specify additional fire safety regulations to meet local fire hazard conditions.
- CPUC General Order 95, Section 31.1 and Rule 15.1 provides a city or county with the right to assert special conditions requiring a higher level of safety.



# Costs?

- The potential costs, such as staff time to formulate and negotiate the contract and possibly to hire outside legal counsel or consultants will be significant, but the long-term benefits outweigh the short-term costs.
- Keep in mind that there is potential for increased income that could make up for those costs and could fund additional programs as well as the staff needed to reinstate the FA oversight role to manage the contract (such as required in the original ordinance, Section 4, “County Road Commissioner.”).

# Environmental Concerns

- Decades of failure to maintain required vegetation trim worsened outages and ignitions, due to strikes on unsafe bare wires.
- PG&E expanded tree removals in response to wildfires, resulting in environmentally destructive impacts on public and private property, and triggering over 20 Cal Fire Notices of Violation post-CZU Fire.
- Downing millions of trees failed to curb disastrous fires. *It's the wires, not the trees.*
- Infringement of private and public property rights.
- PG&E's unnecessary tree removals cause forest, watershed, riparian and viewshed destruction.
- Post-CZU Fire removal of viable trees has damaged the watershed, slowing recovery and increasing the threat to homes.

*Rewriting the Franchise Agreement enables the County to reset its relationship with PG&E to mandate higher safety and environmental standards.*

## Green trees cut down illegally by PG&E after CZU Lightning Fire



# Defining the Energy Future for Santa Cruz County

**Our outdated existing agreement allows conditions to continue that prevent the County from exercising adequate oversight.**

- It's time to take advantage of the opportunity to be proactive, to update the contractual requirements to fit our local situation,
- To increase the capacity of the grid to accommodate distributed energy generation (solar power and microgrids).
- To mitigate being in a *High Fire Threat District* already dealing with the extreme impacts of climate change.
- To reduce climate change by encouraging the growth of healthy, mature trees.

# Guidelines for Creating a New Franchise Agreement

Documentation to facilitate the task and provide additional information.

- Updated **Rationale for a new Franchise Agreement**, with original FA of August 30, 1955, **Santa Cruz County Ordinance 470**.
- **A PG&E Letter to CalFire Santa Cruz/San Mateo Unit Forest Practice Inspector, refusing to adhere to Forest Practice Rules.**
- A ZIP-set of documents about **the City of San Diego's process**, achieving a successful, forward-thinking, modernized FA:
  - Inviting public input
  - *Coalition for Better Franchise Agreements*
  - Request for Bids
  - SDG&E's original Franchise Agreement from 12/17/1970.
  - The new SDG&E Franchise Agreement and related information
  - Summary of benefits: San Diego Union-Tribune, "*San Diego City Council Gives Final Approval on New Electric and Gas Franchise Agreement with SDG&E.*"



# Thoughts, Questions, Next Steps

## *Thank You*

*For further information contact:*

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