Washington State
House of Representatives
Office of Program Research

BILL ANALYSIS

Environment & Energy Committee

HB 1522

Brief Description: Concerning approval of electric utility wildfire mitigation plans.

Sponsors: Representatives Dent, Reeves, Springer and Hill.

Brief Summary of Bill

- Provides that an investor-owned electrical utility may file the company's wildfire mitigation plan with the Utilities and Transportation Commission (UTC) and the UTC must approve or reject the plan within 60 days.
- Requires the UTC to approve an electrical utility's plan if the UTC finds that the plan meets certain requirements.

Hearing Date: 1/30/25

Staff: Matt Sterling (786-7289).

Background:

Wildfire Mitigation Plans.
Each investor-owned electrical company must review and adopt a wildfire mitigation plan and provide it to the Utilities and Transportation Commission (UTC) to review and confirm whether the plan contains the recommended elements. Each investor-owned electrical company must review, and revise if necessary, its wildfire mitigation plan every three years. An investor-owned utility may pursue recovery of costs and investments associated with a wildfire mitigation plan through a proceeding to set rates at the UTC.

Each investor-owned utility must also provide a copy of its wildfire mitigation plan to the Department of Natural Resources (DNR), along with a list and description of wildland fires

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involving utility equipment over the previous two years as reported by the DNR. The wildfire mitigation plan must be submitted to the Utility Wildland Fire Prevention Advisory Committee (Advisory Committee) to be posted on the Advisory Committee's website.

Utilities and Transportation Commission.
The UTC is a three-member commission appointed by the Governor and confirmed by the Senate. The UTC regulates the rates, services, facilities, and practices of investor-owned utilities and transportation companies, including electrical companies, natural gas companies, and telecommunications companies.

Utility Wildland Fire Prevention Advisory Committee.
The Advisory Committee advises the DNR on issues including:

- providing a forum where electric utilities, the DNR, and other state fire suppression organizations can identify issues and develop solutions for wildfire prevention and risk;
- fire mitigation specifically related to electric utilities' transmission and distribution networks, identification of best management practices, electric utility infrastructure protection, and wildland fire suppression and response; and
- establishing joint public communications protocols among members of the Advisory Committee, and other entities, to inform residents of potential critical fire weather events and the potential for power outages or disruptions.

The Advisory Committee produces a report every three years that addresses implementing and updating a model agreement for managing vegetation adjacent to utility rights-of-way and implementing and updating recommendations related to communication between the DNR and utilities. The Advisory Committee develops recommendations for strengthening state agency coordination of wildland fire risk reduction, prevention, and suppression and posts electric utility wildfire mitigation plans on its website.

Recommended Elements for Utility Wildfire Mitigation Plans.
The DNR recommends a format and list of elements to be included in an electrical utility company's wildfire mitigation plan. The recommended elements include:

- vegetation management along transmission and distribution lines and near associated equipment;
- infrastructure inspection and maintenance repair activities, schedules, and recordkeeping; and
- identification of appropriate widths for vegetation management and rights-of-way, including the consideration of fire-resistant vegetation alternatives.

Summary of Bill:

An investor-owned electrical company may file a wildfire mitigation plan with the UTC. In reviewing a wildfire mitigation plan, the UTC:

- must approve or reject the company's wildfire mitigation plan or plan update within 60 days of the filing of the plan;
- must issue an order approving the plan if the UTC finds that the plan is based on reasonable and prudent practices and is designed to meet all appropriate standards adopted by the UTC;
- may make modifications to the plan that the UTC finds are a reasonable balancing of mitigation costs with the resulting reduction of wildfire risk;
- must issue an order explaining any modifications and describe the nature of the UTC's consultations with third parties in its order approving a plan; and
- must collect a reasonable fee from the electrical company.

An electrical company must update its wildfire mitigation plan at least every three years and provide a copy of its wildfire mitigation plan and updates to the DNR and the Advisory Committee.

The requirement that each investor-owned electrical company provide the DNR with a list and description of wildland fires involving utility equipment for the previous two years is repealed.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.