



# City of Needles

817 Third Street, Needles, California 92363  
(760) 326-2113 • FAX (760) 326-6765

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Mayor Janet Jernigan  
Vice Mayor Kirsten Merritt  
Councilmember Tona Belt  
Councilmember Ellen Campbell  
Councilmember Jamie McCorkle  
Councilmember JoAnne Pogue  
Councilmember Henry Longbrake  
City Manager Patrick Martinez

8/26/2024

## VIA ELECTRONIC MAIL

Danjel Bout,  
Director for Safety Policy Division  
California Public Utilities Commission  
505 Van Ness Avenues  
San Francisco, CA 94102

**Re: Utility Security Plan Exemption Designation for [POU]**

Dear Mr. Bout:

In accordance with Ordering Paragraph 28 of California Public Utilities Commission (“Commission”) Decision (“D.”) 19-01-018, [POU] (“[POU]”) hereby provides this letter in support of [POU]’s designation as exempt from the utility security plan requirements of D.19-01-018. The utility security plan requirements of D.19-01-018 are clearly inapplicable to [POU] and continued participation would result in an undue burden and hardship to [POU] for the following reasons: (1) [POU] has no distribution assets that meet any of the seven identification factors for a “Covered Distribution Facility” that are subject to the risk assessment requirements; (2) there are no reasonably foreseeable changes that could occur within [POU]’s service territory that could cause one of [POU]’s distribution assets to meet any of the seven identification factors for a “Covered Distribution Facility”; and (3) [POU] has a comprehensive physical security program that is appropriately tailored to [POU]’s assets. In the sections below, [POU] provides information to demonstrate each of these conclusions.

[Optional paragraph providing a statement regarding how your POU takes safety seriously and has implemented the necessary security protections for your system and assets.]

A. [POU] has No Assets that Meet Any of the Seven Identification Factors for a “Covered Distribution Facility.”

D.19-01-018 adopted a six-step process for developing utility security plans for distribution assets. This six-step process was based on a joint utility proposal<sup>1</sup> as modified by recommendations from the Commission’s Safety Policy Division (“SPD”).<sup>2</sup> The initial step

<sup>1</sup> See Joint IOU/POU Straw Proposal, available at:

<https://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M196/K148/196148336.PDF>.

<sup>2</sup> See Safety & Enforcement Division’s Risk Assessment & Safety Advisory (RASA) Section Evaluation of Joint Utility Proposal and Recommendations for Consideration, available at:

<https://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M204/K457/204457381.PDF>.



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under this process is to evaluate if the utility has any “Covered Distribution Facilities,” which are distribution assets that fall under any of the following categories:

1. Distribution Facility necessary for crank path, black start or capability essential to the restoration of regional electricity service that are not subject to the California Independent System Operator’s (CAISO) operational control and/or subject to North American Electric Reliability Corporation (NERC) Reliability Standard CIP-014-2 or its successors;
2. Distribution Facility that is the primary source of electrical service to a military installation essential to national security and/or emergency response services (may include certain airfields, command centers, weapons stations, emergency supply depots);
3. Distribution Facility that serves installations necessary for the provision of regional drinking water supplies and wastewater services (may include certain aqueducts, well fields, groundwater pumps, and treatment plants);
4. Distribution Facility that serves a regional public safety establishment (may include County Emergency Operations Centers; county sheriff’s department and major city police department headquarters; major state and county fire service headquarters; county jails and state and federal prisons; and 911 dispatch centers);
5. Distribution Facility that serves a major transportation facility (may include International Airport, Mega Seaport, other air traffic control center, and international border crossing);
6. Distribution Facility that serves as a Level 1 Trauma Center as designated by the Office of Statewide Health Planning and Development; and
7. Distribution Facility that serves over 60,000 meters.

If a utility does not control any Covered Distribution Facilities, then the utility has no further obligation to perform a risk assessment or to identify physical security mitigation measures as part of D.19-01-018 utility security plan.

[POU] previously prepared a Utility Security Plan, which was adopted by [POU governing board] on [Date of Adoption]. As part of the process of developing this Utility Security Plan, [POU] evaluated if any of its distribution assets met any of the factors listed above. Because some factors required additional definitions and/or clarifications in order to be applied to [POU]’s facilities, [POU] adopted additional clarifications as part of its Utility Security Plan.



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In [POU]'s Utility Security Plan, [POU] determined that it does not have any Covered Distribution Facilities, as demonstrated in the following table which provides the relevant factor, the clarification (if any), and [POU]'s determination:

ID Factor	Joint IOU/POU Straw Proposal Description	Additional Clarification	Demonstration
1	Distribution Facility necessary for crank path, black start or capability essential to the restoration of regional electricity service that are not subject to the California Independent System Operator's (CAISO) operational control and/or subject to North American Electric Reliability Corporation (NERC) Reliability Standard CIP-014-2 or its successors	No additional clarification.	No [POU] distribution facility is necessary for the services identified in Factor 1.
2	Distribution Facility that is the primary source of electrical service to a military installation essential to national security and/or emergency response services (may include certain airfields, command centers, weapons stations, emergency supply depots)	No additional clarification.	[POU] does not provide electric services to any military installations.
3	Distribution Facility that serves installations necessary for the provision of regional drinking water supplies and wastewater services (may include certain aqueducts, well fields, groundwater pumps, and treatment plants)	An installation provides "regional drinking water supplies and wastewater services" if it is the primary source of drinking water supply or wastewater services for over 40,000 customer accounts for an area with a population of over 100,000.	No single drinking water or wastewater facility located within the [POU Service Territory] serves more than 40,000 customer accounts or a population of over 100,000 residents.
4	Distribution Facility that serves a regional public safety establishment (may include County Emergency Operations Centers; county sheriff's department and major city police department headquarters; major state and county fire service headquarters; county jails and state and federal prisons; and 911 dispatch centers)	[POU] defines "regional public safety establishment" as any of the following: (1) Headquarters of a major police or fire department serving 1.5 million population with at least 1,000 sworn officers; (2) County Sheriff's Department Headquarters; (3) County Emergency Operations Center; (4) County/State Fire headquarters; (5) a California State Prison; (5) a United States Penitentiary; or (6) a Federal Correctional Institute.	[POU] does not provide electric service to any regional public safety establishments. The [XXXXXX] Police Department only has [XXXX] officers and professional staff. No other facility listed in Factor 4 is located in [POU Service Territory] or served by [POU].



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5	Distribution Facility that serves a major transportation facility (may include International Airport, Mega Seaport, other air traffic control center, and international border crossing)	In addition to the facilities listed in the Joint IOU/POU Straw Proposal, [POU] defines a “major transportation facility” as any transportation facility that has (1) an average of 600 or more flights per day; or (2) over 50,000 passengers arriving or departing per day.	No major transportation facility is located in [POU Service Territory].
6	Distribution Facility that serves as a Level 1 Trauma Center as designated by the Office of Statewide Health Planning and Development	No additional clarification.	No Level 1 Trauma Centers are located within [POU Service Territory].
7	Distribution Facility that serves over 60,000 meters	No additional clarification.	[POU] only has XXXX customer meters in its entire service territory.

**B. There are No Reasonably Foreseeable Changes That Could Occur Within [POU]’s Service Territory That could Cause a [POU] Distribution Asset to Meet Any of the Seven Identification Factors for a “Covered Distribution Facility.”**

For each of the factors listed in the table above, there is no reasonably foreseeable scenario where a [POU] distribution asset could become a “Covered Distribution Facility.”

**Factor 1:** [POU] has no plans to reconfigure or upgrade its system such that any distribution assets could be necessary for any of the services listed in Factor 1. Further, [POU] is unaware of any system changes by [IOU] or any other entity that could cause one of [POU]’s distribution assets to become necessary for any of the services listed in factor 1.

**Factor 2:** [POU] is not aware of any plans to consider constructing a military installation essential to national security and/or emergency response services within [POU]’s service territory and [POU] is not aware of any sites in [POU]’s service territory that could reasonably be used for such purposes.

**Factor 3:** [POU] is not aware of any plans to consider constructing a regional drinking water or wastewater facility in [POU]’s service territory and, further, the population within [POU]’s service territory is not large enough to support a regional drinking water/wastewater facility.

**Factor 4:** [POU] is not aware of any plans to consider constructing a regional public safety establishment in [POU]’s service territory and, further, the



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population within [POU]'s service territory is not large enough to support a regional public safety establishment.

**Factor 5:** [POU] is not aware of any plans to consider constructing a major transportation facility within [POU]'s service territory and [POU] is not aware of any sites in [POU]'s service territory that could reasonably be used for such purposes.

**Factor 6:** [POU] is not aware of any plans to consider constructing a Level 1 Trauma Center within [POU]'s service territory and, further, the population within [POU]'s service territory is not large enough to support such a facility.

**Factor 7:** [POU] has far less than 60,000 customer meters in its entire service territory and no current forecast of customer growth predicts such a number to be located in [POU]'s service territory in the foreseeable future.

- C. [POU] has a Comprehensive Physical Security Program that is Appropriately Suited for [POU]'s Distribution Assets.

[Describe existing security measures]

For the reasons stated above, the utility security plan requirements of D.19-01-018 are clearly inapplicable to [POU] and thus continuing to apply these requirements to [POU] would result in an undue burden and hardship. Therefore, [POU] should be designated as exempt from the ongoing requirements of D.19-01-018.

Sincerely,

[Signature]

cc: Richard Kyo, Senior Utilities Engineer, Safety Policy Division  
James Cho, Program Manager, Safety Policy Division  
Junaid Rahman, Senior Regulatory Analyst, Safety Policy Division