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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,

No. CR 14-0175 WHA

v.

PACIFIC GAS AND ELECTRIC
COMPANY,
Defendant.

**ORDER ADOPTING NEW
CONDITIONS OF PROBATION**

This order follows the April 2 hearing on the March 5 order to show cause. In addition to the conditions of probation already in effect, the Court imposes the following new conditions of probation in order to protect the public from further death and destruction resulting from PG&E-caused wildfires, to deter similar wrongs by other utilities, and to promote the rehabilitation of PG&E among other goals of 18 U.S.C. §§ 3553(a)(1) and (a)(2):

1. PG&E must fully comply with all applicable laws concerning vegetation management and clearance requirements, including Sections 4292 and 4293 of the California Public Resources Code, CPUC General Order 95, and FERC FAC-003-4. In this connection, the Court accepts CAL FIRE’s interpretation of Section 4293 as set forth in its February 6 submission (Dkt. No. 1012).
2. PG&E must fully comply with the specific targets and metrics set forth in its wildfire mitigation plan, including with respect to enhanced vegetation management. Compliance with these targets and metrics, however, will not

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excuse any failure to fully comply with the vegetation laws as required in paragraph 1. For purposes of this condition, the operative wildfire mitigation plan will be the plan ultimately approved by the CPUC.


3. The Monitor shall assess PG&E’s wildfire mitigation and wildfire safety work, including through regular, unannounced inspections of PG&E’s vegetation management efforts and equipment inspection, enhancement, and repair efforts. The inspections will include both inspections of segments of power lines where PG&E has conducted its enhanced vegetation management efforts pursuant to its wildfire mitigation plan, as well as areas where enhanced vegetation management has yet to occur. The inspections will further include field interviews and questioning of PG&E employees and contractors.

4. PG&E shall maintain traceable, verifiable, accurate, and complete records of its vegetation management efforts. PG&E shall report to the Monitor on the first business day of every month on its vegetation management status and progress, and make available for inspection all related records at the Monitor’s request.

5. PG&E shall ensure that sufficient resources, financial and personnel, including contractors and employees, are allocated to achieve the foregoing. If PG&E cannot find enough contractors, then PG&E must hire and train its own crews to trim and remove trees. To ensure that sufficient financial resources are available for this purpose, PG&E may not issue any dividends until it is in compliance with all applicable vegetation management requirements as set forth above.

IT IS SO ORDERED.

Dated: April 3, 2019.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE