

STATEMENTS OF POLICY

Title 52—PUBLIC UTILITIES

PENNSYLVANIA PUBLIC UTILITY COMMISSION

[52 PA. CODE CH. 69]

[M-2008-2065532 / 57-270]

Utility Service Outage Public Notification Guidelines—Proposed Statement of Policy

The Pennsylvania Public Utility Commission (Commission) on November 6, 2009, adopted a proposed policy statement which establishes acceptable methods of public notification in the event of service interruptions.

Public Meeting held
November 6, 2009

Commissioners Present: James H. Cawley, Chairperson; Tyrone J. Christy, Vice Chairperson, Joint Statement; Kim Pizzingrilli, Joint Statement; Wayne E. Gardner, Absent; Robert F. Powelson

*Proposed Policy Statement Regarding Utility Service Outage Public Notification Guidelines;
Doc. No. M-2008-2065532*

Proposed Policy Statement

By the Commission:

Procedural History

On September 14 and 15, 2008, Hurricane Ike swept through this Commonwealth interrupting electric service to over 450,000 customers. Prompted by this occurrence, on September 25, 2008, the Commission issued a Secretarial Letter to all electric distribution companies (EDCs) operating in this Commonwealth seeking information regarding their service and public notice practices. On the same date, an investigation was initiated into EDCs' service outage responses and restoration practices with the same information requested. Responses were filed by the EDCs. As part of this investigation, the Commission also held two public input hearings in western Pennsylvania and solicited information from EDCs regarding their current and past storm preparation and response practices.

In April 2009, the Commission's Bureau of Conservation, Economics and Energy Planning and Office of Communications submitted a report to the Commission entitled, *Electric Distribution Company Service Outage Response and Restoration Practices Report* (Report). This Report was adopted by the Commission at Public Meeting of April 30, 2009, at Docket No. M-2008-2065532. On the same date, this Commission adopted the Joint Motion of Vice Chairperson Tyrone J. Christy and Commissioner Kim Pizzingrilli to initiate a rulemaking proceeding to revise our regulations on Service Outages in 52 Pa. Code § 67.1 (relating to service outages), and reportable incidents in 52 Pa. Code §§ 57.11, 59.11 and 65.2 (relating to accidents). The Joint Motion also directed that a Policy Statement be issued.

Summary of Recommendations

The Report summarized the findings of the investigation and recommended the following future actions:

- Utilities should apply the principles of the National Incident Management System (NIMS) and its Incident Command System when managing widespread service outages. Application of NIMS would include:

1. Development of written crisis communication plans consistent with national NIMS standards.

2. Establishment of a Joint Information System/Joint Information Center to coordinate responses when multiple utilities in the same region are affected by an incident.

- Utility personnel should communicate with the news media and public in a consistent fashion. Common talking points should be distributed to all utility employees who may be in contact with the public and news media.

- During incident management, utilities should establish a schedule for the regular release of information to the news media.

- Utilities should strive to use the best available technology to facilitate the sharing of information, including automated dialing systems, electronic mail and text messaging.

- Utilities should provide a greater level of detail in their written reports to the Commission for unscheduled service interruptions that meet the criteria under 52 Pa. Code § 67.1(b) (relating to general provisions), including the level of damage to utility facilities, number of personnel utilized through mutual aid agreements, and other matters identified in the report.

- The Commission should establish a more uniform approach to reportable accidents involving utility facilities and operations.

Discussion

Based on the public's response during and immediately following the outages we acknowledge that many residents of the Commonwealth were frustrated during their electric outages with a lack of answers from their utilities regarding service restoration or that they received conflicting information. The Commission understands that it takes time to restore power after a severe unexpected storm. However, keeping an open, predictable line of communication with consumers eases their frustrations with the situation.

Utilities should send consistent messages to consumers, using one spokesperson for an information release, and providing predictability to the release of updated information. The EDCs should consider utilizing a Joint Information System/Joint Information Center that organizes all of the information throughout the utility into one unified message with one person to deliver that message at predictable time frames to the public, media and others.

We understand that customer service representatives will be dealing with the public during outage situations. Also, linepersons and other people working in the field will encounter customers with questions about restoration of service. The message to the public and media should be the same no matter which public service representative or department of the utility residents contact. During the September incident, the Commission found that different information was being given from different segments of the utility (consumer services representatives, linepersons, field staff and media contacts). This caused confusion among consumers, media and the Commission.

A single set of talking points or informational sheets with a uniform message should be distributed to all within the EDC who may have contact with the public in any capacity. The uniform message should be updated

regularly at predictable/scheduled times. Media releases, talking points and other information should be shared with the Commission's Office of Communications, its Emergency Preparedness Coordinator and the County Emergency Management Agencies.

Also, specific times should be established for release of information to the media with an opportunity for open dialogue and questions—possibly through an in-person media availability conducted by the EDC spokesperson. The Commission has established such protocols for receiving updates for outage information from the EDCs. The Commission's Office of Communications then uses those predictable times to share with the media when the next update on the number of people without service will be available. The same should be done by the EDCs in communicating with the public. Establishing a regular schedule for information updates allows the public and the media to know specifically when new, updated information will be available. Again, adherence to the NIMS standards for release of public information would alleviate these concerns.

Beyond a consistent message from the EDCs, we see a benefit to working across jurisdictional boundaries. The NIMS-based Joint Information System/Joint Information Center would apply to efforts to work with other utilities in coordinating a message. According to the NIMS standard, those contributing to joint public information management "do not lose their individual identities or responsibilities. Rather, each entity will contribute to the overall unified message."

We also believe that modern technology is being underutilized by the EDCs. Automated dialing systems, e-mail or text messaging would prove an effective communication tools for customers. Customers could opt to provide cellular telephone or home telephone numbers for calling or the other types of communication. Customers who opt to participate in such a program would then know that they can receive updated information at a set interval or if their estimated restoration time has changed by more than 2 hours.

We understand that the success of the use of modern technologies such as e-mail and text messaging depends upon the consumers' willingness to provide that secondary-contact information. However, we believe sufficient customer interest in receiving timely information during an outage exists, leading to willingness by those customers to voluntarily provide secondary-contact information such as e-mail and text messaging addresses to the EDC.

Another potentially beneficial use of technology would be the EDCs creating and maintaining a section of their web site specifically dedicated to outages. While it is admirable that some of the EDCs are able to provide real-time, customer-specific outage-related data on their web sites, the Commission understands that type of specificity is too cumbersome for certain utilities. However, at minimum, the Commission would like to have a section of the EDC's web site dedicated to presenting outage information whereby customers could get regular updates regarding the number of customers without service by geographic area and estimated restoration times.

The Commission hereby invites comments on the adoption of a proposed policy statement regarding service outage public notification guidelines. This proposed policy statement, coupled with a proposed rulemaking order which proposes amendments to regulations in Chapters

57, 59, 65 and 67 represents a comprehensive strategy for addressing electric service outage restoration practices. The Commission recommends that all interested persons review this order as well as the companion Proposed Rulemaking Order at L-2009-2104274, and submit comments to the Commission.

Proposed Policy Statement

On November 9, 2006, the Commission finalized a policy statement relating to unscheduled water service interruptions and associated actions (§ 69.1602 adopted December 15, 2006, effective December 16, 2006, 36 Pa.B. 7624). The document and its advice applied only to jurisdictional water and wastewater utilities, but the information contained within the policy statement provided solid guidance for all jurisdictional utilities. While the information found during the investigation leading up to the policy statement was served on all jurisdictional utilities including the EDCs, the final policy statement was not. Given the communication methods and reaction of consumers from the September 2008 electric outages, we propose that a policy statement similar to the one adopted on November 9, 2006, for the jurisdictional water utilities be adopted for the EDCs.

The policy statement is intended to provide guidance to the industry regarding the types of public notice necessary to meet the reasonableness standard in the Public Utility Code at 66 Pa.C.S. § 1501 (relating to character of service and facilities). The purpose of this proposed policy statement is to help ensure that actual, timely notice to customers is provided by EDCs whenever any event disrupts service or potentially endangers public safety. Our proposed policy statement, therefore, will include a series of acceptable methods for improving the timeliness and effectiveness of notice to electric customers during an outage. In addition, the proposed policy statement will propose guidelines for public notice templates and notice to Commission personnel.

The Commission invites comment regarding whether this proposed policy statement should be applied across other utilities. While a similar policy statement already exists for the water industry, the Commission invites comment on whether this should apply to natural gas as well as electric companies.

Further, the Commission invites comments on the cost/benefit analysis regarding what benefits versus what costs the EDCs and potentially other industries may incur with implementation of the policy statement. In particular, the Commission invites comments regarding the associated costs in implementing an autodialer system.

§ 69.1901. Statement of scope.

Section 69.1901 identifies the Commission's objective for this policy statement to apply to the electric distribution market. The Commission invites comments whether the policy statement should apply to all utilities in the telephone, electric, gas, water/wastewater industries as well.

§ 69.1902. Notification guidelines.

Section 69.1902(a) sets forth the acceptable methods of public notification in the event of a service interruption. The utility is encouraged to use the following methods as appropriate including: (1) facsimile/electronic mail; (2) web sites, emergency phone lines and integrated voice response system; (3) an automated dialer system; (4) doorknob flyers; (5) text messaging; and (6) the emergency alert system. The Commission encourages the

utility companies to use the methods most appropriate for their situations. The Commission recognizes that not all customers, but some will want the text messaging service with updates, and the Commission believes the utilities should use advanced technology to keep the media and customers better informed about service restoration. The Commission is considering developing a page on the Commission's web site whereby EDCs would upload outage information twice a day (that is, at 6 a.m. and 6 p.m.). The public could then go to the Commission's web site and open a workbook to see outage status. This format would only be activated for long-term outages. The Commission is seeking comment on the feasibility of this proposal as well as a definition for "long term outage" and "number of customers affected" threshold tests before the update would be required.

Section 69.1902(b) states that utilities should strive to adopt National Incident Management System (NIMS) and its Public Information System that strives to organize all information throughout the utility into one, unified message. This would avoid confusion between personnel within the utility giving conflicting messages to customers and media regarding expected restoration times, and the like.

Subsection (b)(1) states that EDC crisis communications plans should be in writing and every attempt should be made to be consistent with the Nationally-approved NIMS standards. This is in keeping with our attempt to organize information uniformly.

Subsection (b)(2) states that if more than one EDC is affected in the same geographic region, strong consideration should be given to implementing the NIMS-based Joint Information System/Joint Information Center. This would allow for coordination and integration of information across jurisdictions, especially on universal messages such as actions residents should take to ensure safety.

Subsection (b)(3) states that the EDCs should have public notice templates prepared in advance to be available when needed to avoid wasting critical time developing materials when confronted with an emergency situation. The notices should cover many possible scenarios from safety and shelter information, estimated restoration times and times when updated information will be provided. This will benefit the consumers.

Subsection (c) states that utilities should consider having a knowledgeable contact person stationed in the area of the outage during the emergency to communicate to the public and media on behalf of the company. Regular media updates should be scheduled at predictable times. Having one contact person will probably avoid mixed messages going out to the public.

Further, Subsection (c)(1) states that a single point of contact should be established as the sole media spokesperson for the utility for that time period. During extended outages, a secondary-media spokesperson could be utilized as the sole contact for a specific period of time.

To further maintain consistency in communication, Subsection (c)(2) states that talking points or informational sheets should be provided to customer service representatives, linepersons and others who may come in contact with the public during the course of the outage to strive toward consistency of message. This information should also be shared with the Commission's Office of Communications, its Emergency Preparedness Coordinator and the County Emergency Management Agencies.

Conclusion

The Commission welcomes comments on all aspects of this proposed policy statement. It must be observed that this policy statement is closely related to the final outcome of the electric service outage rulemaking process. A final policy statement will be promulgated for publication in the *Pennsylvania Bulletin* before the Commission issues its Final Rulemaking Order. If the Independent Regulatory Review Commission or an other entity requires changes to the final-form version of the rule, this policy statement may need to be revised for consistency. *Therefore,*

It Is Ordered That:

1. The proposed statement of policy, in §§ 69.1901 and 69.1902 as set forth in Annex A, is issued for comment.

2. The Secretary shall submit this order and Annex A to the Governor's Budget Office for review of fiscal impact.

3. The Secretary shall certify this order and Annex A and deposit them with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

4. Interested parties shall have 30 days from the date of publication in the *Pennsylvania Bulletin* of the proposed policy statement in Annex A to file an original and 15 written comments to the Pennsylvania Public Utility Commission, Attention: Secretary James J. McNulty, P. O. Box 3265, Harrisburg, PA 17105-3265. Reply comments shall be due in 45 days.

6. An electronic copy of the comments should be electronically mailed to Elizabeth Barnes, Assistant Counsel, at ebarnes@state.pa.us, and these comments in turn will be placed on the Commission's web site for public viewing at www.puc.state.pa.us. Attachments may not exceed three megabytes.

7. Comments should, where appropriate, address the issues identified in this order and include, where applicable, a numerical reference to the attached Annex A which the comments address, proposed language for revision, and a clear explanation for the recommendation.

8. A copy of this order and Annex A be filed at Doc. No. M-2008-2065532 and Doc. No. L-2009-2104274.

9. A copy of this order and Annex A be served upon all electric distribution companies operating in this Commonwealth, all jurisdictional water and wastewater companies, all natural gas distribution companies, all jurisdictional telephone utilities, the Office of Consumer Advocate, the Office of Small Business Advocate, the AFL-CIO Utility Caucus, the Pennsylvania Utility Contractors Association, the Energy Association of Pennsylvania, the Pennsylvania Telephone Association (PTA) and the Director of the Pennsylvania Emergency Management Agency (PEMA).

10. The contact person for this is Elizabeth Barnes, Law Bureau, (717) 772-5408, ebarnes@state.pa.us.

By the Commission

JAMES J. McNULTY,
Secretary

*Joint Statement of Commissioner Kim Pizzingrilli and
Vice Chairperson Tyrone J. Christy*

Pennsylvania experienced widespread electric distribution service outages as a consequence of Hurricane Ike in September of 2008. On September 25, 2008, the Commission initiated an investigation to evaluate current electric utility service storm response, service restoration, and

customer communication practices. The Commission released a report on April 30, 2009 that summarized the findings of this investigation and recommended revisions to existing regulations and the adoption of a new policy statement.

The proposed policy statement will implement the report's recommendation that the Commission adopt a uniform policy for incident management and communications with customers during significant electric service outages. The policy statement recommends that electric distribution companies:

- Adopt the principles of the National Incident Management System (NIMS), its Incident Command System, and its Public Information System including the development of a written crisis communication plan and establishment of a Joint Information System/Center to coordinate responses when multiple utilities in the same region are affected by an incident.
- Communicate with their customers and the news media in a consistent fashion during widespread service outages.
- Establish a schedule for the regular release of information to the news media through a single point of contact.
- Utilize the best available technology to facilitate the distribution of information to customers and the news media.

The policy statement is intended to provide guidance and help ensure that timely notice is provided whenever an event disrupts service or potentially endangers public safety. The Commission invites comment on whether this policy statement should be applied across all jurisdictional utilities. We would encourage utilities to pay particular attention to our focus on NIMS and its components. This represents the best practice for emergency preparedness and incident management. It has been adopted by Federal agencies, and agencies of the Commonwealth, including this Commission. We further invite an analysis regarding the benefits versus costs that may be incurred with the implementation of this policy statement.

We would like to thank our staff for their comprehensive review of utility practices and the development of these recommendations. We encourage all affected utilities to review this proposed policy statement and provide comments.

Fiscal Note: 57-270. No fiscal impact; (8) recommends adoption.

(Editor's Note: For a proposed rulemaking relating to this proposed Statement of Policy, see 40 Pa.B. 1203 (March 6, 2010).)

Annex A

TITLE 52. PUBLIC UTILITIES

PART I. PUBLIC UTILITY COMMISSION

Subpart C. FIXED SERVICE UTILITIES

CHAPTER 69. GENERAL ORDERS, POLICY STATEMENTS AND GUIDELINES ON FIXED UTILITIES

UTILITY SERVICE OUTAGE PUBLIC NOTIFICATION GUIDELINES

§ 69.1901. Scope.

This section and § 69.1902 (relating to utility service outage public notification guidelines) statement provide

guidelines to the electric distribution market regarding the restoration practices of service.

§ 69.1902. Notification guidelines.

(a) *Acceptable methods of public notification.* In the event of a service interruption, the following acceptable methods of public notification should be considered and utilized as appropriate:

(1) *Facsimile/electronic mail.* Facsimile/e-mail notification to local radio and television stations, cable systems, newspapers and other print and news media as soon as possible after the event occurs. These notifications must provide relevant information about the event, such as the affected locations, its potential impact including the possible duration of the outage, and a description of actions affected ratepayers/occupants should take to ensure their safety, with updates as often as needed. Updates should be provided on a predictable, regular schedule for the duration of the event. The Commission's Office of Communications and Emergency Preparedness Coordinator should also receive these notifications

(2) *Web site.* Use of the utility's own Internet web site, emergency phone line and integrated voice response system to provide relevant information about the event, such as the affected locations, its potential impact and estimated duration, and a description of actions affected ratepayers/occupants should take to ensure their safety, with updates as often as needed. A section of the company's web site shall be dedicated to presenting outage information where regular updates of the number of customers without service by geographic area and estimated restoration times are available. Depending on electric distribution company (EDC)-system limitations, this could be as simple as a PDF or spreadsheet file of information that is updated at regular intervals.

(3) *Automated dialer system.* Automated dialer system (outbound dialing) notification to affected ratepayers/occupants' landline or wireless phones. Updates should be provided at regular intervals or if the estimated restoration time should change by more than 2 hours.

(4) *Miscellaneous.* Other types of direct or actual notice, such as doorknob flyers distributed to affected ratepayers/occupants with actions affected ratepayers/occupants should take to ensure their safety, when feasible.

(5) *Electronic mail and text messaging.* E-mail and text message notification to affected customers who have opted to receive notice through use of these methods.

(6) *Emergency alert system.* Coordination with State and local emergency management agencies as needed to use the emergency alert system for qualifying situations.

(b) *NIMS standards.* Utilities should strive to adopt National Incident Management System (NIMS) and its Public Information System that strives to organize all information throughout the utility into one, unified message.

(1) *Crisis communication plans.* EDC crisis communications plans should be in writing and every attempt should be made to be consistent with the Nationally-approved NIMS standards.

(2) *Coordination.* If more than one EDC is affected in the same geographic region, strong consideration should be given to implementing the NIMS-based Joint Information System/Joint Information Center. This would allow for coordination and integration of information across

jurisdictions, especially on universal messages such as actions residents should take to ensure safety.

(3) *Public notice templates.* The EDCs should have public notice templates prepared in advance to be available when needed to avoid wasting critical time developing materials when confronted with an emergency situation. The notices should cover many possible scenarios from safety and shelter information, estimated restoration times and times when updated information will be provided.

(c) *Contact information.* To ensure that the public is informed, if possible, utilities should consider having a knowledgeable contact person stationed in the area of the outage during the emergency to communicate to the public and media on behalf of the company. Regular media updates should be scheduled at predictable times.

(1) *Spokesperson.* A single point of contact should be established as the sole media spokesperson for the utility for that time period. During extended outages, a secondary-media spokesperson could be utilized as the sole contact for a specific period of time.

(2) *Talking points and informational sheets.* Talking points or informational sheets should be provided to customer service representatives, linepersons and others who may come in contact with the public during the course of the outage to strive toward consistency of message. This information should also be shared with the Commission's Office of Communications, its Emergency Preparedness Coordinator and the county emergency management agencies.

[Pa.B. Doc. No. 10-393. Filed for public inspection March 5, 2010, 9:00 a.m.]
