

# *The Electrical Expert*

October 14, 2008

## CPUC Public Hearing

Bahr Shrine Center  
5440 Kearny Mesa Rd.  
San Diego., California

### OUTLINE

1. Introduction: I was originally retained to investigate all of the Southern California Fires in 2007 that had the possibility of being caused by Electricity. Upon discovering a design/construction error on SDG&E Transmission line 637 and understanding the significance and importance of what I had found, I requested a meeting with SDG&E to inform SDG&E of a design error on their system. That meeting took place on December 17,2007.
2. Submit exhibit package for the record
3. **Read into the record the contents of the exhibit package.**

EXHIBIT #1: Report by Ed Clark regarding the source of the 2007 Witch Fire along with findings regarding the 2003 Cedar and Paradise Fires.

Provided to SDG&E on December 17, 2007

Provided to CPUC on January 15, 2008, Meeting in LA with CPUC

Provided to Cal Fire on April 3, 2008, Fire Chiefs Meeting in San Diego

EXHIBIT #2: Meeting minutes dated January 16, 2008 with California Public Utilities Commission

EXHIBIT #3: February 13, 2008 Memo confirming Field Visit with Steve Antabli of CPUC, showing him in person evidence of arcing on down guy attachments.

EXHIBIT #4: March 12, 2008 Memo per request by Steve Antabli of the CPUC, providing a map and two alternatives to fix the problem of arcing on down guys.

# *The Electrical Expert*

EXHIBIT #5: May 28, 2008 Memo to Steve Antabli providing a copy of SCE Construction Standard TO201 Directly on point to this design/installation error by SDG&E.

EXHIBIT #6: May 30, 2008 Memo putting all parties on notice of a the Safety Hazard that exists during investigation of the 69kv lines during the week of June 1, 2008. (Note: Ed Clark was not allowed to attend investigation)

EXHIBIT #7: July 29, 2008 Response to report signed by Fire Captain Specialist Matthew Gilbert on July 1, 2008.

Includes Minutes dated April 16, 2008 of meeting with Jim Garrett of Cal Fire

4. Do to comments made in the meeting on December 17, 2008, with SDG&E and subsequently, combined with the fact that I understand how the utility legal departments operate, I realized that do to potential extreme financial exposure, SDG&E will not fix or make repairs, for fear it might look like an admission of guilt. I found myself in a very uncomfortable situation by apparently being the only person who has figured this out, including going back to the potential contribution to the 2003 cedar and paradise fires.

I realized it would be far less expensive to mitigate damages through the court system by only settling with those who can prove fault, then taking the chance of how it would look if SDG&E just made repairs.

5. Please note that all of the exhibits are dated prior to the report issued by Cal Fire dated OCTOBER 21, 2007 with, no mention of down guy arcing in Cal Fires report

Please note also that all of the exhibits are dated prior to the report issued by the CPUC dated SEPTEMBER 2, 2008 with, no mention of down guy arcing in the report by the CPUC.

Both reports omitted my findings despite all of the written notifications and me having separate field visits to show Cal Fire and the CPUC each location where I found arcing. Both the CPUC and Cal Fire only sent one person at different times.

Question #1: Why is it, both Cal Fire and the CPUC, both governmental agencies chartered to protect the citizens of this state, in this case the citizens of San Diego County, have omitted such valuable information from a public document. Why has this information (evidence) been suppressed and not disclosed as part of an ongoing investigation.

I learned in the meeting of April 3, 2008 in San Diego with all of the San Diego County Fire Chiefs that the members of Cal Fire who were tasked with the investigating my findings were on

# *The Electrical Expert*

an advisory board of directors for SDG&E. I never heard back from Cal Fire. To me this is a conflict of interest and allows a public utility to have influence over Cal Fire.

Additionally, do to my field investigation with Jim Garrett of Cal Fire, I documented minutes to have a record of his discomfort of my findings, primarily as it pertained to me suggesting his 2003 findings on the Cedar and Paradise fires may be flawed. Mr. Garrett would not take the time to let me show him that the pole at the start of the 2003 Paradise fire has the same design problem as the witch fire and still exists today. As far as he was concerned the investigation was over for the 2003 Paradise and Cedar fires.

I clearly documented my concerns that I was being told by the CPUC that this problem fell under the jurisdiction of Cal Fire, and that Cal Fire felt it was the jurisdiction of the CPUC. An investigation commenced during the week of June 1, 2008. I made a request through the City Attorneys office along with a request to Cal Fire to participate. I did not get a response from Cal Fire and since the City was not a party to a claim at the time, they could not authorize me to attend. I sent exhibit #6 to all parties trying to point out a safety concern that nobody is paying attention to. I offered on many occasions to have a meeting of the minds with Cal Fire, the CPUC and members of the Protection Engineering departments from any public utility to explain this concept and resolve with all parties present. It fell on deaf ears. Nobody would take an interest or leadership role.

Despite the numerous experts that did participate with the investigation during the week of June 1, 2008, unless they specifically had a utility "relay protection" engineering background, they would not understand this concept. I will go on record and tell you the findings in the report by both Cal Fire and the CPUC is severely flawed. It is not uncommon during high winds for debris to be blown across phases (i.e. a high impedance fault) and cause some minimal arcing and spitting leaving marks, which "might" contribute to the fires, however, in this case I have shown you in my report an actual picture of where the fire started and this evidence has been ignored and omitted by the PUC and Cal Fire. If the phase would have come together as concluded (i.e. zero impedance fault) the results would have been catastrophic. The lines would have burned open and fell to the ground.

I had an occasion to meet an attorney from SDG&E, Mr. J.T. Thomas, where Mr. Thomas looked at me in the eye and told me That SDG&E did not agree with me and that neither did SCE or PG&E. I sent Mr. Thomas the next day the construction standards within SCE directly contradicting his statement. Please refer to the attachment on exhibit # 5. Its easy for attorneys to "create an argument" to your benefit if you don't take the time to inquire with individuals with the correct background to understand the source of the problem.

I can prove to anyone who cares, or wants to listen, that this design by SDG&E is dangerous and puts the lives of citizens of San Diego County at risk. At the end of the day, ignorance, incompetence, or the corporate bottom line, is not an excuse when it comes to Public Safety. For all of those within SDG&E, Sempra Energy, the CPUC and Cal Fire who have chosen to look the other way, and not take appropriate action to protect this community from fire, when the

# *The Electrical Expert*

evidence has been handed to them on a silver platter should be held criminally liable should one more person lose their home or life do to intentional actions and neglect.

In closing, it appears to me that with the leadership demonstrated to date, by all of those involved, the citizens of this county don't have a chance. On one hand you have a utility that is putting concerns of their bottom line ahead of Public Safety, combined with the fact that the insurance companies are paying the bill, and settling for less than full recovery years later, which ultimately affects all of our insurance rates.

Folks as a spokesman for the citizens of this county, I personally am appalled with this modern day "Circling of the Wagons" by the local utility, to prepare for all of the court battles. Combine this with the fact that our government agencies do not having the backbone to inquire, understand and then stand up to a powerful corporation and disclose what they have done.. Corporate greed, attempting to defer the expense, making insurance companies pay for their mistake, which in my opinion is just another form of insurance fraud, cannot be tolerated especially when the public safety is at risk.

I can only hope that I have gotten someone's attention!

By the way, I would like to add Exhibit #8 which is a letter that I sent certified mail to the following corporate officers at SDG&E and Sempra Energy.

Deborah Reed President and CEO SDG&E  
Michael R. Niggli, COO, SDG&E  
Dennis Arriola, Senior VP and CFO, SDG&E  
Pamela J. Fair, Vice President, Environmental Safety and Facilities

Don F. Felsing, Chairman and CEO, Sempra Energy  
Neal M. Schmale, President and COO, Sempra Energy

And finally Bonnie M. Dumanis, San Diego District Attorney, so that if these executives consciously choose to not inquire and make executive decisions in favor of public safety, and rather use their attorneys to hide behind in an effort to defer cost, if one more fireman gets hurt, one more person loses a home or loved one, she can take appropriate action and prosecute to the fullest extent of the law.

Additionally those employees in Cal Fire and the CPUC who have taken an active roll not to disclose this information to the public should be immediately relieved of any responsibilities having to do with investigations involving public safety.

Thank you, for your time

  
Ed Clark