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Memo

To: Gerald Singleton

From: Tommy Vu

Date: September 13, 2021

Re: Court Testimony from PG&E's Troubleman before Judge Alsup

PG&E's troubleman appeared in the Northern District of California (San Francisco) to answer questions from the Assistant U.S. Attorney, Judge Alsup, and PG&E's counsel. Judge Alsup oversees PG&E's criminal probation. The troubleman's name was not disclosed for safety reasons. He testified that he received an alert of a power outage on his phone on the morning of July 13, 2021, and he did not know the urgency at the time. When he first arrived (still a far distance from the origin of the fire), he used his binoculars to see the affected PG&E's utility line and could tell at least 1 fuse was out. He did not see any smoke or any vegetation on PG&E's utility line at that moment. Moreover, he did not believe this was an urgent situation because there was no wind, and the skies were clear.

PG&E's troubleman drove closer to the fire and saw a tree leaning into PG&E's line and he smelled smoke. The area was remote, and a road closure resulted in further delay in getting to the power outage (almost 10 hours to respond to the initial sign of trouble). He testified that he believed the smell of smoke was from a previous fire (Sugar fire in Susanville) and not a new fire that had just ignited. Ultimately, the troubleman noticed a fire approximately 600-800 square feet at the base of the tree. The troubleman fought the fire himself with two 2.5-gallon fire extinguishers. He also opened the third fuse because he knew this was still energized. A Cal Fire plane arrived while he was getting the second fire extinguisher. When he left the scene, the fire had grown to approximately 3 acres in size.

Reading the transcript of the radio calls that day, Judge Alsup read a quote from the troubleman: "There's a tree on the line that started the fire." The troubleman did not recall saying that and when offered the opportunity to stand by the statement, he chose not to. Instead, he stated that there was a tree leaning into PG&E's line and there was a fire. However, he clarified that he was not an engineer, and he was not trained in fire investigations, so he did not know the cause of the fire. He opined that it was possible that lightning could have caused the fire but when asked if there was any evidence that lightning was present before/during/after the fire, he said he did not have any evidence.

The troubleman testified that he did not contemplate a scenario where a fire could have started when a tree contacted the utility line because he did not see smoke or any vegetation on the line when he used his binoculars at first glance. He testified that he knew this area was high-risk of fire and that there is a hazard of ignition anytime a tree makes contact with a utility line. Judge Alsup revealed that he has since learned this particular utility line was rated the 11th most dangerous circuit of 3,300.

Although Judge Alsup's focus at the first half of the hearing was why there was such a long delay in getting to the fire, the second half of the hearing was devoted to why the troubleman did not shut off all energy from the utility line on Switch 941. Judge Alsup stated that this would have taken him 2 minutes to do. The troubleman testified that it was not PGE's policy to completely turn off energy until there was more information as to the cause of the fire. Judge Alsup asked what the harm was of turning off Switch 941 as a precaution while he investigated the cause of the fire, and he said some customers would have lost power. When Judge Alsup asked which customers would have lost power from turning off Switch 941, the troubleman did not know who but speculated that the railroad might have been affected. He said the idea of going to Switch 941 to turn off all energy never crossed his mind because he did not see any smoke or tree on the line initially. Also, he was never ordered or directed to do so when he called dispatch. The troubleman testified that it was possible that the fire never would have ignited if he turned off Switch 941 before spending several hours to drive closer to the power outage.

Judge Alsup ordered PG&E to disclose any and all information behind PG&E's response to the fire, including the decision to not turn off Switch 941. Judge Alsup wanted to know why PG&E allowed the utility line to remain energized, something they knew since at least one fuse was closed, while the Troubleman took several hours to drive closer to the power outage. Judge Alsup said he has jurisdiction over this criminal case until January 2022 and he would do everything he could to hold PG&E accountable and to protect the public. Judge Alsup ordered PG&E to provide additional information by this Friday at Noon. Ultimately, Judge Alsup wanted to know why PG&E did not turn off all power in the line when it only took 2 minutes to do so, and instead, we're now faced with the second largest wildfire in CA history. At the outset, the Troubleman did not know the reason for the power outage, but he did know there's always a possibility of a fire, so Judge Alsup kept asking him what the harm was in turning off Switch 941 while you figure this out?

Although the investigation is still pending, Judge Alsup believes the tree fell onto PG&E's line, which blew two fuses, and the third fuse allowed electricity to travel from the line through the tree, which ignited the fire on the ground.