

California Senate Subcommittee Hearing: August 14, 2019
De-Energization: Access and Functional Needs (AFN) Concerns
Prepared Comments of Melissa W. Kasnitz
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Chairman Hill, Committee Members, Panel Participants, and Members of the Public:

My name is Melissa Kasnitz. I'm the Legal Director at the Center for Accessible Technology, where I regularly represent the interests of the disability community on matters of utility policy before the California Public Utilities Commission. I have worked on de-energization since the issue was first raised at the CPUC by San Diego Gas and Electric Company in 2008.

I would like to start by thanking you for your attention to the complex issues associated with de-energization during times of high fire risk. Power shut-offs create widespread risk of harm to affected populations, even as their intent is to reduce the risk of catastrophic wildfire. The risks associated with de-energization are not evenly distributed. As is so often the case, households that are already vulnerable, including those containing a person with a disability, a chronic illness, or another form of access or functional need, are at increased risk of harm during an extended shut-off. This has been generally identified in the very helpful background paper prepared for the Subcommittee. But I'm here to add detail, and, I hope, begin to discuss possible solutions.

The White Paper specifically notes that households containing a person with a disability are potentially exposed to increased or severe risk, but it does not specify who is at risk or the types of risks that are inevitable during an extended outages. These may include:

- People who rely on respirators or other devices to breathe. These individuals are at the most immediate risk, including risk of death, without reliable access to electricity. People in this category simply must have ongoing access to power sources for the duration of an outage.
- People who rely on any of the extensive array of medical devices powered by electricity to maintain health. This can include: insulin pumps and continuous glucose monitors (diabetes), nebulizers (asthma), CPAP machines (sleep apnea), and emergency alert systems (which include wired as well as wireless components, and which also depend on the ongoing operability of a household's communications system). The health risks to these populations may be less immediate and dramatic, but they are no less real.
- People who rely on medication that requires refrigeration, including insulin. In addition to the immediate health risk of being unable to properly store medication, an extended power outage may cause a substantial economic burden for people who have to replace lost medication out-of-pocket.
- People who rely on mobility devices powered by electricity, who may not be at direct risk of harm, but are at increased risk if another emergency takes place during a power shut-off because of their loss of independent mobility. Among other risks, these households will have difficulty evacuating if that becomes necessary.
- People who cannot tolerate extreme temperatures. This group of people may face immediate health risks or else they may be forced out of their homes, even if no evacuation is ordered, because they cannot tolerate high temperatures. They may experience substantial economic burdens if they are forced to pay out-of-pocket to

travel to a location where temperatures are lower (either a location with more moderate weather or a location with available air conditioning) and stay there for an extended period of time.

The White Paper also identifies additional social costs of de-energization, but it leaves out many foreseeable costs, including those that are most likely to impact AFN households:

- The White Paper notes the potential for hampered evacuations, but leaves out important barriers, including risks to people who cannot manually open garage doors, people who can't get out of their homes if elevators are not functioning, and people who are dependent for mobility on motorized devices (power wheelchairs or scooters) that cannot be charged.
- The White Paper acknowledges economic consequences for businesses, but it does not address economic consequences for residential customers. These can include loss of food and medicine when refrigeration is disrupted, lost earnings when a place of employment is closed, and out-of-pocket spending in order to increase safety during an extended power outage. This is a serious issue for AFN households who may have more losses than average and who are also disproportionately likely to be low income.
- The White Paper notes the potential for increased overall fire risk due to generator use, but it does not identify other fire triggers from a power shut-off, including use of candles or flame-based lanterns for lighting and use of backyard grills or other fire-based methods for cooking. If these triggers start a fire, AFN households face difficulty in evacuation.

Potential solutions for policymakers to consider:

- Options to provide adequate back-up power to maintain reliability of medical devices. This may include generators, though these have their own risks, storage options, or other methods to ensure that devices and equipment continue to function. Key issues to address include cost, prioritization of need, and pragmatic issues of installation.
- Advance planning by utilities, local governments, and emergency response personnel to ensure ongoing access to medication and other forms of assistance. This may be particularly vital for people who receive in-home supportive care, particularly because it is likely that personal attendants will also be impacted by the shut-off and may not be available to provide assistance.
- Relocation assistance for at-risk households to appropriate locations outside of the de-energized zones or to appropriately supplied emergency shelters.
- All other forms of mitigation first will rely on effective planning by utilities, local governments, and/or emergency response personnel on how to provide effective assistance and emergency responses during an extended outage.
- Finally, after an event is over, policymakers must consider the need for financial reimbursement for losses.

This is simply an overview of potential methods to respond to the needs of households that may be impacted by a power shut off. I look forward to participating in an ongoing manner in fleshing out these ideas and considering how to put them into effect.