Application No.: Exhibit No.: Witnesses:

A.09-08
J. Ball
J. Butler
M. De Bont
A. Fohrer
C. Johns
H. Martin
D. Reed
M. Schneider
B. Smith
D. Snow

(U 902-M), (U 338-E), (U 904-G) and (U 39-M)

TESTIMONY IN SUPPORT OF JOINT
APPLICATION FOR AUTHORITY TO ESTABLISH
A WILDFIRE EXPENSE BALANCING ACCOUNT
TO RECORD FOR FUTURE RECOVERY
WILDFIRE-RELATED COSTS

Before the

Public Utilities Commission of the State of California

Rosemead, California

August 31, 2009

Table Of Contents

Page

A. Fohrer,C. Johns andD. Reed

Section

I.	POL	ICY TESTIMONY1				
	A.	Introduction				
	B.	Cost Recovery Approach5				
	C.	Major Wildfires Are Natural Disasters8				
	D.	Historically, The Commission Has Authorized The Utilities To Recover Costs Associated With Wildfires And Other Disasters				
		1. Allowing The Utilities To Recover The Costs Of Wildfire Claims Is Consistent With Commission Treatment Of Other Natural Disasters				
		Commission Policies Recognize That Insurance Costs And Claims Are Part Of The Reasonable Cost Of Providing Public Utility Service				
	E.	Inverse Condemnation Theory Has The Potential to Increase Claims Costs Regardless Of Utility Actions				
	F.	The Commission Should Continue Its Policy Of Allowing The Utilities To Recover Costs Associated With Wildfires14				
		1. Wildfire Risks Come With The Utility Franchise, And As Such, Must Be Addressed In Rates14				
		2. The Need For Financial Strength To Maintain Utility Operations And Reliable Service Has Been Recognized Both By The Commission And The Legislature				
	G.	The Insurance Standard For Cost Recovery Is Appropriate				

Table Of Contents (Continued)

				Section	Page	Witness
	ATTA	ACHMI	ENT A	20		
II.	TESTIMONY OF JONATHAN E. BALL REGARDING INSURANCE					J. Ball
	A.	Introd	oduction			
	B.	Purpose of Testimony			42	
	C.	Summary Of Conclusions			42	
	D.					
		1.	Insura	ance Concepts – Overview	44	
		2.	Insura	ance Company Financial Ratings And Stability	44	
			a)	Surplus	44	
			b)	Loss Ratio	45	
			c)	Reinsurance	45	
		3.	Liabil	ity Insurance Programs	45	
		4.	Insura	nce Companies	46	
			a)	Mutual Insurance Companies	46	
			b)	Commercial Insurance Market	47	
		5.	Liabili	ity Insurance Program Design	47	
			a)	Lead Insurer	47	
			b)	Other Insurers	48	
			c)	How Much Insurance Should A Utility Purchase?	49	
	E	Morles	t Candi	4	51	

Table Of Contents (Continued)

			Section	Page	Witness
		1.	Geographic Risk	51	
		2.	2009 Insurance Market Condition – Power And Utility Industry	51	
		3.	Future Insurance Market Conditions – Power And Utility Industry Entities Exposed To Potential Wildfire Liability Claims	54	
III.	UTII	LITIES	'INSURANCE TESTIMONY	55	
	A.	SDG	&E and SoCalGas Insurance Testimony	55	M. De Bont
		1.	Purpose Of Testimony	55	
		2.	Overview And Changes In Liability Insurance Market And Its Impact On SDG&E And SoCalGas	55	
		3.	Procurement Process And Results	57	
	ATT	ACHM:	61		
	B.	SCE	Insurance Testimony	63	J. Butler
		1.	Background And Purpose Of Testimony	63	
		2.	Procurement Strategy	63	
		3.	SCE Loss Experience	65	
		4.	Overview And Changes In Excess Liability Insurance	65	
		5.	Future Changes In Excess Liability Insurance	66	
	ATTA	ACHMI	67		
	C.	PG&I	E Insurance Testimony	69	H. Martin
		1.	Purpose Of Testimony	69	
		2.	Procurement Strategy	69	

Table Of Contents (Continued)

			Section 1	Page	Witness
		3.	PG&E Loss Experience	.70	
		4.	Overview And Changes In Excess Liability Insurance	.71	
		5.	Future Changes In Excess Liability Insurance	.72	
	ATTA	СНМЕ	.73		
	D.	Insura	nce Procurement Consultative Process	.75	J. Butler, M. De Bont and H. Martin
IV.	RATE	MAKIN	NG - FINANCING TESTIMONY		M. Schneider, B. Smith and D. Snow
	A.	Introdu	uction	76	
	B.		ling Costs to The Wildfire Expense Balancing	76	
	C.	Recove	ery Of WEBA Balances	77	
	D.	Financ	ing Wildfire Costs	77	
	ATTA	CHME	80		
Annen	dix A V	Vitness (Qualifications A	_1	

D. <u>Insurance Procurement Consultative Process</u>

In order to ensure that the Utilities have the input of customer representatives in the decisions to procure insurance coverage, the Utilities propose to consult with customer representatives during the annual procurement process. The Utilities ask the Commission to direct Division of Ratepayer Advocates and Energy Division, and invite other stakeholder groups, to participate in this process.

Although meetings with liability insurance carriers span months, many of the insurance companies do not quote binding offers until the end of the process. At that point, the Utilities must decide quickly whether to purchase the insurance offered. To facilitate stakeholder input consistent with the realities of the procurement of liability insurance, the Utilities propose the following process:

- Meeting with stakeholders at least two months prior to the renewal to review the procurement strategy, including current market conditions and the utilities' insurance needs.
- Periodic updates as necessary.
- Shortly prior to renewal, inform status of procurement.

Within 30 days of the date on which a Utility makes final decisions with respect to wildfire insurance, the Utility will file with the Commission a report describing the process and outcome of the insurance procurement effort.