

1 – “GUEJITO”

October 22, 2007

CA-MVU-010484

1 – VIOLATION(S)

2 – SUMMARY

3 – SUBJECT(S)/SUSPECT(S)

4 – VICTIM(S)/WITNESS(ES)

5 – EVIDENCE

6 – CONDITIONS

7 – VEHICLE(S)/EQUIPMENT

8 – PROPERTY

9 – NARRATIVE

10 – ATTACHMENTS

Health & Safety Code Section 13001; Causing a Fire

13001. Every person is guilty of a misdemeanor who, through careless or negligent action, throws or places any lighted cigarette, cigar, ashes, or other flaming or glowing substance, or any substance or thing which may cause a fire, in any place where it may directly or indirectly start a fire, or who uses or operates a welding torch, tar pot or any other device which may cause a fire, who does not clear the inflammable material surrounding the operation or take such other reasonable precautions necessary to insure against the starting and spreading of fire.

General Order 95

Rule 44.1, Table 4

On Monday, October 22, 2007 @ 1:00 AM, CAL FIRE Battalion Chief Suzanne Todd and her Strike Team 9270c witnessed an arcing power line with fire in the San Pasqual Valley while enroute to the Witch Fire. The location of the fire was in Guejito Creek drainage on the south side of State Route 78 and ¼ mile west of Bandy Canyon Rd. N33 5.6224 W116 57.6991. This fire burned an unknown amount of acres and homes because the Guejito Fire and the Witch Fire combined into one fire.

After investigation of the origin area(s) the fire was determined to have started when energized power lines and lashing wire from a Cox Communications cable came in contact with each other.

“3 – SUBJECT(S)/SUSPECT(S)

CA-MVU-010484

San Diego Gas & Electric (SDG&E)/SEMPRA  
9965 Carroll Canyon Rd. SD1386  
San Diego , CA. 92131-1105  
858-536-4007  
Attn: Dean Le Brecht – Claims

COX Communications  
5159 Federal Blvd.  
San Diego, CA. 92105  
619-266-5357  
Attn: Steve Gautereaux

V-1 Unknown at this time

W-1 Gary Eidsmoe Investigator  
CAL FIRE  
2249 Jamacha Rd.  
El Cajon, CA. 92019

[REDACTED]

W-2 Suzanne Todd Battalion Chief  
CAL FIRE  
Amador-El Dorado Unit  
5660 Mother Lode Dr.  
Placerville, CA. 95667

[REDACTED]

See Attachment E for written statement

W-3 Rob Wheatley Fire Captain  
CAL FIRE E2782

[REDACTED]

See Attachment F for written statement. I did not interview Wheatley.

W-4 Justin Sanders Fire Captain  
CAL FIRE E2761

[REDACTED]

See Attachment G for written statement. I did not interview Sanders.

W-5 Tyson Short Resident

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Tyson was in his front yard watching the Witch Fire when he saw a flash from what appeared to be arcing power lines in Guejito Creek then saw the fire start below where the lines were arcing.

W-6 Lynnette Short Resident

[REDACTED]  
[REDACTED]  
[REDACTED]

Short is Tyson's wife and witnessed fire travel of the Guejito Fire. However she did not see the Guejito fire start.

W-7 Larry Hall Retired  
San Diego Gas & Electric  
619-820-3535

O-1 Dean Le Brecht Claims Management  
San Diego Gas & Electric  
9965 Carroll Canyon Rd.  
San Diego, CA. 92131-1105  
858-536-4007

Le Brecht took photographs for SDG&E

O-2 Randy Lyle Veg. Contract Manager  
San Diego Gas & Electric  
8315 Century Park Ct.  
San Diego, CA. 92123  
619-964-7460

Lyle was assisting Hall but was not interviewed.

Collected 872 plus feet of San Diego Gas & Electric power line conductor that was involved in the start of the fire.

Collected 2 pieces of damaged support cable that the COX Communications fiber optics line that was attached to a support cable and pieces of lashing wire recovered from the line and the ground.

Photographs of both cables and the damage.

All evidence collected is being held in the Monte Vista Prevention Evidence Locker.

Very strong East winds were blowing down through the San Pasqual Valley, and the Witch fire was just at the top around Weekend Villa in Ramona and about to burn down through the valley.

**SITE INFORMATION**

**ID: KRNM**  
**NAME: Ramona Airport**  
**LATITUDE: 33.03750**  
**LONGITUDE: -116.91583**  
**ELEVATION: 1391 ft**  
**MNET: NWS/FAA**

Observations prior to selected time: October 22, 2007 - 00:00 PDT  
 Weather Conditions at October 21, 2007 - 23:53 PDT

	23:53	24 Hour Max	24 Hour Min
Temperature	71.1° F	77.0 at 12:53	42.1 at 4:53
Dew Point	-0.0° F	48.9 at 0:53	-0.0 at 23:53
Wet Bulb Temperature	45.7° F	49.5 at 1:53	41.5 at 6:53
Relative Humidity	6%	100 at 2:45	6 at 21:36
Wind Speed	35 mph from ENE	35 at 23:22	0 at 0:15
Wind Gust	44 mph	49 at 22:53	22 at 18:32
Pressure	28.63 in	28.65 at 22:07	28.40 at 2:48
Sea level pressure	30.07 in	30.08 at 22:53	29.84 at 2:53
Altimeter	30.11 in	30.14 at 22:07	29.87 at 2:48
1500 m Pressure	25.13in	25.15 at 22:07	24.93 at 2:48
Weather conditions	smoke	-	-
Visibility	2.50 miles	10.00 at 7:53	0.25 at 0:53
Ceiling	-	3300 at 18:32	100 at 0:36

Observations prior to selected time: October 23, 2007 - 00:00 PDT  
 Weather Conditions at October 22, 2007 - 23:53 PDT

	23:53	24 Hour Max	24 Hour Min
-	-	75.9 at 11:53	68.0 at 3:53
-	-	8.6 at 3:11	-0.4 at 8:15
-	-	48.4 at 11:53	44.6 at 7:16
-	-	9 at 2:53	6 at 9:18
-	-	36 at 1:50	22 at 3:53
-	-	53 at 6:51	31 at 5:21
0.00 in	-	28.73 at 8:53	28.64 at 0:10
-	-	30.18 at 8:53	30.08 at 0:53
-	-	30.22 at 8:53	30.12 at 0:10
0.00in	-	25.22 at 8:53	25.13 at 0:10

"7 – VEHICLE(S)/EQUIPMENT"

CA-MVU-010484

Equipment involved was a 12kv power line conductor and a COX Communications fiber optics lashing wire spanning below the power lines. The distance between the two poles was 872 feet.

"8 – PROPERTY"

CA-MVU-010484

Property where the Guejito Fire had started was San Diego County (SRA) then the fire immediately burned onto San Diego City.

On Monday, October 22, 2007 @ 1:00 AM, a vegetation fire was reported by W-2 CAL FIRE Battalion Chief Suzanne TODD. She reported the location in the river bottom of the Guejito Creek just south of the Guejito Creek Bridge which is in the San Pasqual Valley.

W-2 TODD with Strike Team 9270c from Amador-El Dorado witnessed an arcing power line with fire in the Guejito Creek while enroute to the Witch Fire. The location of the fire was in Guejito Creek drainage on the south side of State Route 78 and ¼ mile west of Bandy Canyon Rd.

W-2 TODD reported the fire to the Monte Vista Emergency Command Center (MVUECC) and then had her Strike Team start suppression efforts. They did not attempt to go into the creek bottom due to the already sizable and fast spreading fire and being unfamiliar with the area, so they turned around on Hwy 78 to try to cut the fire off.

As of this report the acreage of the fire and the homes that were damaged or destroyed are unknown, due to the Guejito Fire and the Witch Fire merging at some point.

On Thursday, November 1, 2007, I was requested by Fire Prevention Bureau Chief Jim Garrett to locate and investigate Origin and Cause of the Guejito Fire. I was to determine whether it started in State Responsibility Lands (SRA) or in San Diego City. According to maps the fire started in SRA and immediately burned in a westerly direction onto San Diego City land.

Upon my initial assessment and after talking to W-2 TODD by cell phone, I found where the fire had started in the river bottom. It was possible there were multiple origins.

I asked her if she could return to the scene and point to where she saw the arcing and the fire start.

When W-2 TODD arrived, she told me that while they were traveling east bound on Hwy 78 and just past the San Diego Wild Animal Park, she noticed what she described as a “light show” coming from ahead of them. As the Strike Team got to the Guejito Creek bridge W-2 TODD noticed that the light show was arcing power lines. She also saw that a fire had started in the vegetation below where the lines were arcing. (See attachment E, Suzanne Todd statement.)

W-2 TODD noted the location as on the south side of Hwy 78 at the Guejito Creek Bridge. She said she gave that location to the MVUECC then directed her Strike Team to take action on the fire.

As I was looking at and flagging fire spread indicators I was also examining the power lines overhead to see if there was any indication of arcing. In the same span and below the power lines was a Cox Cable Communications line. I noticed a small gauged lashing wire that was wound around the communication cable for support. I looked at the whole length of the cable and noticed the lashing had come undone in several locations.

In two locations, I noticed that some of the lashing was dangling from the Cox cable line; the ends about 10 – 12 feet from the ground. I also found some of the same type wire lashing lying on the ground in the origin area. There was also some leftover undamaged lashing wire on the ground that appeared to have been left from a previous repair job.

On the ground in the origin area I noticed that there was some lashing wire which had been sooted and burned with beaded ends. It looked as if these pieces had come from the support cable.

I also noticed where it appeared that there had been some electrical contact with the leftover undamaged lashing wire on the ground and where electricity had followed the wire that was buried in the dirt giving it the appearance of dark veins following the wire under the dirt.

Looking at the wire ends that were dangling from the cable, I noticed they were also sooted and beaded. Looking at the power line through binoculars, which I called the south power line, I saw some damage to a strand and also found three spots where the lashing wire from the fiber optics cable was fused to the power line.

I interviewed W-5 Tyson SHORT who lives about 1000 feet east of where the fire had started. He told me he was watching the Witch Fire burning toward his house. During that time he noticed a bright flash behind him. He looked at toward the flash and saw arcing.

W-5 SHORT then said after seeing the arcing the second time he saw the fire start underneath where the arcing was. (See attachment H, Tyson Short statement.)

I also interviewed W-9 Lynnette SHORT, Tyson's wife. She told me shortly after the Guejito fire started she took her baby and they drove out of the area via Bandy Canyon Rd. This road goes from Hwy 78 in San Pasqual Valley to Highland Valley Rd. in Rancho Bernardo. She said at that time the Witch Fire appeared to be on the hill above the San Pasqual Academy just east of them about ½ mile. W-9 SHORT told me she watched the Guejito fire burn toward the west and south toward Bandy Canyon Rd. below her.

The Guejito fire eventually did burn over Bandy Canyon Rd. toward Rancho Bernardo.

While I was investigating, W-7 Larry HALL, O-1 Dean LE BRECHT and O-2 Randy LYLE, who were representing San Diego Gas & Electric (SDG&E/Sempra) arrived. I explained my findings and HALL thought the same as to the cause of the fire.

On Friday, November 2, 2007 I met with HALL, LYLE and LE BRECHT again and HALL told me that a SDG&E crew was coming out to replace the damaged span. Before the wire was put on a spool, the crew lowered the wire enough so we could inspect and photograph it.

After closer inspection, there were two areas on the power line where one strand of the wire had been burned through and three areas where the lashing wire from the COX Cable line had been fused to the power line..

The wire was put on a large spool and I attached a CAL FIRE evidence tag to it before leaving the scene.

Due to the size of the spool I agreed to SDG&E taking it to their facility in Escondido for the night and locked up for security. The next day, the wire was transferred to a smaller spool and taken to the SDG&E facility in El Cajon to be secured. On November 11, 2007, the spool was transferred to our CAL FIRE evidence locker.

On November 3, 2007 I met with Cox Cable representatives at the origin area. I showed them my findings as to what I thought what happened. They brought their service trucks and lowered the support cable to which the fiber optics cable was lashed. On that cable there were two areas where one strand had burned completely through and several areas showing arcing.

The fiber optics cable had some minor marks and some sooting but was not damaged enough to take out of service. The Cox Communications cable was not removed from service.

I cut and took into evidence the two pieces of support cable that were burned through. The rest of the cable was spooled and taken by Cox Communications.

W-10 HALL told me when the arcing occurred SDG&E equipment recorded a slight interruption in that line at 12:59 AM. Other than that there was no interruption in service from either the SDG&E lines or the Cox Communications cable.

## OPINIONS AND CONCLUSIONS:

With the witness statements from Suzanne Todd and Tyson Short and finding the lashing wire from the COX Cable fiber optics line fused to the south power line in several areas, and finding some of that wiring on the ground sooted and beaded, it is my opinion that sometime during the wind event the lashing wire securing the fiber optics cable and the power line had come in contact with each other causing an arc and starting the fire. I also eliminated all other possible ignition sources, such as campfire, smoking and vehicles.

### Case Disposition

The case remains open and additional information and material items will be requested from San Diego Gas & Electric or COX Communications. Physical evidence in their possession and any additional physical evidence collected will be examined by technical experts for opinions and conclusions.

## **Fire Cause Determination**

### Lightning (Detection Method)

No lightning in the area during the whole month of October.

### Equipment Use (Exhaust, Brake Shoe, Aircraft, Vehicle Fire, Grinding, Other)

Origin area(s) were about 150 feet from the nearest road.

### Smoking (Tobacco, Other)

Even though humidity's were low, nobody was seen in the origin area and no cigarette butts were found.

### Campfire (Cooking, Warming, Ceremonial, Other)

No evidence of camping was found at or near the origin.

### Debris Burning (Land, Slash, Refuse, Pile, Barrel, Agriculture/Dooryard, Clearance, Screen, Permit, Other)

No evidence of debris burning was found near or in the origin of the fire.

### Railroad (Ignition Activities Associated with Railroad Companies)

No railroad in the area

### Incendiary (Ignition Component / Material First Ignited)

No evidence of any incendiary type devices were found in the origin area.

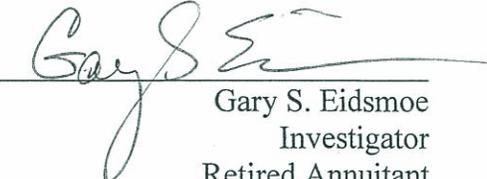
### Children (Ignition Activities Associated with Children)

No children live at or near the location or were seen in the area prior to the fire.

### Miscellaneous (Blasting, Structure, Fireworks, Pest Control, Logging, Power line, Glass, Target Shooting, Spontaneous Combustion, Other)

**A Power line and Cox Communications Cable coming into contact with each other due to the high winds was the most probable cause of the fire.**

- A. CAL FIRE Fire Report
- B. Preliminary Fire Investigation (LE-66)
- C. Scene Sketch/Topographic map of origin area
- D. General Order 95, Rule 37
- E. Statement from W-2 Suzanne Todd, CAL FIRE Battalion Chief
- F. Statement from W-3 Rob Wheatley, CAL FIRE Captain
- G. Statement from W-4 Justin Sanders, CAL FIRE Captain
- H. Statement from W-5 Tyson & W-6 Lynnette Short
- I. Letter of Demand for Evidence to Cox Cable and to San Diego Gas & Electric/Sempra
- J. Photo and Evidence Report, Spooled Wire from SDG&E
- K. Perimeter Map
- L. Photo and Evidence Report and Scene Photo's

  
Gary S. Eidsmoe  
Investigator  
Retired Annuitant



LOSS  SAVE

1. Estimated Start Date: 10/22/07 Time: 0100	Reported Date: 10/22/07 Time: 0100	2. Location Address: Hwy 78 & Guejito Cr. Bridge City: Escondido, CA.	3. Fire ID Batt: 6 Inc # CA-MVU-010484 Fire #: Fire Name: Guejito
--	--	---	--

4. What Burned? Vegetation Acres Burned:  
5. Reporting Party: Suzanne Todd, BC Amador/El Dorado Telephone:

6. Codes: 1. Victim 2. Witness 3. Suspect/Subject 4. Tenant/Owner

Code: W-2	Name: Suzanne Todd	CDL#/ID:	Sex: F	Hair:	Eyes:	Hgt:	Wt:	DOB/Age:
-----------	--------------------	----------	--------	-------	-------	------	-----	----------

Address: 5660 Mother Lode Dr. City: Placerville, CA. 95667 Telephone: 530-622-3858

Code: W-3	Name: Tyson Short	CDL#/ID:	Sex: M	Hair:	Eyes:	Hgt:	Wt:	DOB/Age:
-----------	-------------------	----------	--------	-------	-------	------	-----	----------

Address: 17331 San Pasqual Valley Rd. City: Escondido, CA. Telephone: 760-644-3557

Code:	Name:	CDL#/ID:	Sex:	Hair:	Eyes:	Hgt:	Wt:	DOB/Age:
-------	-------	----------	------	-------	-------	------	-----	----------

Address: City: Telephone:

Code:	Name:	CDL#/ID:	Sex:	Hair:	Eyes:	Hgt:	Wt:	DOB/Age:
-------	-------	----------	------	-------	-------	------	-----	----------

Address: City: Telephone:

7. General Remarks (such as statements, observations, license numbers, equipment ID, evidence, etc.):  
Both W-2 Todd and W-3 Short saw powerlines arc in the Guejito Creek bottom and the saw the fire start.

8. Wind Speed/Direction	Temp:	Humidity:	9. Photo? <input type="checkbox"/> Yes <input type="checkbox"/> No Taken by whom? Gary Eidsmoe FCS #52
-------------------------	-------	-----------	---

10. Insured?  Yes  No Company/Agent:

11. Before fire fighters arrived, what suppression efforts were taken?

None	By whom?
	What tools?

12. What caused the fire? (State opinions and conclusions)

According to witnesses and evidence at the origin area, the cause of the fire was wire used to attach fiber optics cable to a support cable and unwound and made contact a with powerline conductor, causing an arc.

13. Debris Burning:

Did fire escape control? <input type="checkbox"/> Yes <input type="checkbox"/> No	Burning permit? <input type="checkbox"/> Yes # <input type="checkbox"/> No	Permit required? <input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Piled debris	Clearance:	Length:
<input type="checkbox"/> Incinerator	Clearance:	Screen: <input type="checkbox"/> Yes <input type="checkbox"/> No
		Screen mesh size:

14. Railroad

Train #:	Time Passed:	Direction of Travel:	Mile Post #:
----------	--------------	----------------------	--------------

15. Power Line

ID Pole:	<input type="checkbox"/> +750 volts <input type="checkbox"/> -750 volts	Tree Involved? <input type="checkbox"/> Yes <input type="checkbox"/> No	Remarks:	Distance of Limbs to Conductor:
Utility Representative: Telephone #:	Conductor/Pole Clearance: <input type="checkbox"/> Yes <input type="checkbox"/> No			

16. Sketch the area where the fire originated

Distance measured by: <input type="checkbox"/> Tape <input type="checkbox"/> Pace <input type="checkbox"/> Estimate	Sec.	Township	Range	↑ N						
<div style="float: right; border: 1px solid black; padding: 5px; width: fit-content;"> <p>18. Action</p> <table border="1"> <tr> <td>None</td> <td>Investigation Continued</td> </tr> <tr> <td>Criminal</td> <td>Civil Litigation</td> </tr> <tr> <td>Judicial</td> <td>Administrative</td> </tr> </table> </div>					None	Investigation Continued	Criminal	Civil Litigation	Judicial	Administrative
None	Investigation Continued									
Criminal	Civil Litigation									
Judicial	Administrative									

17. Did the fire burn the property of others?  Yes  No

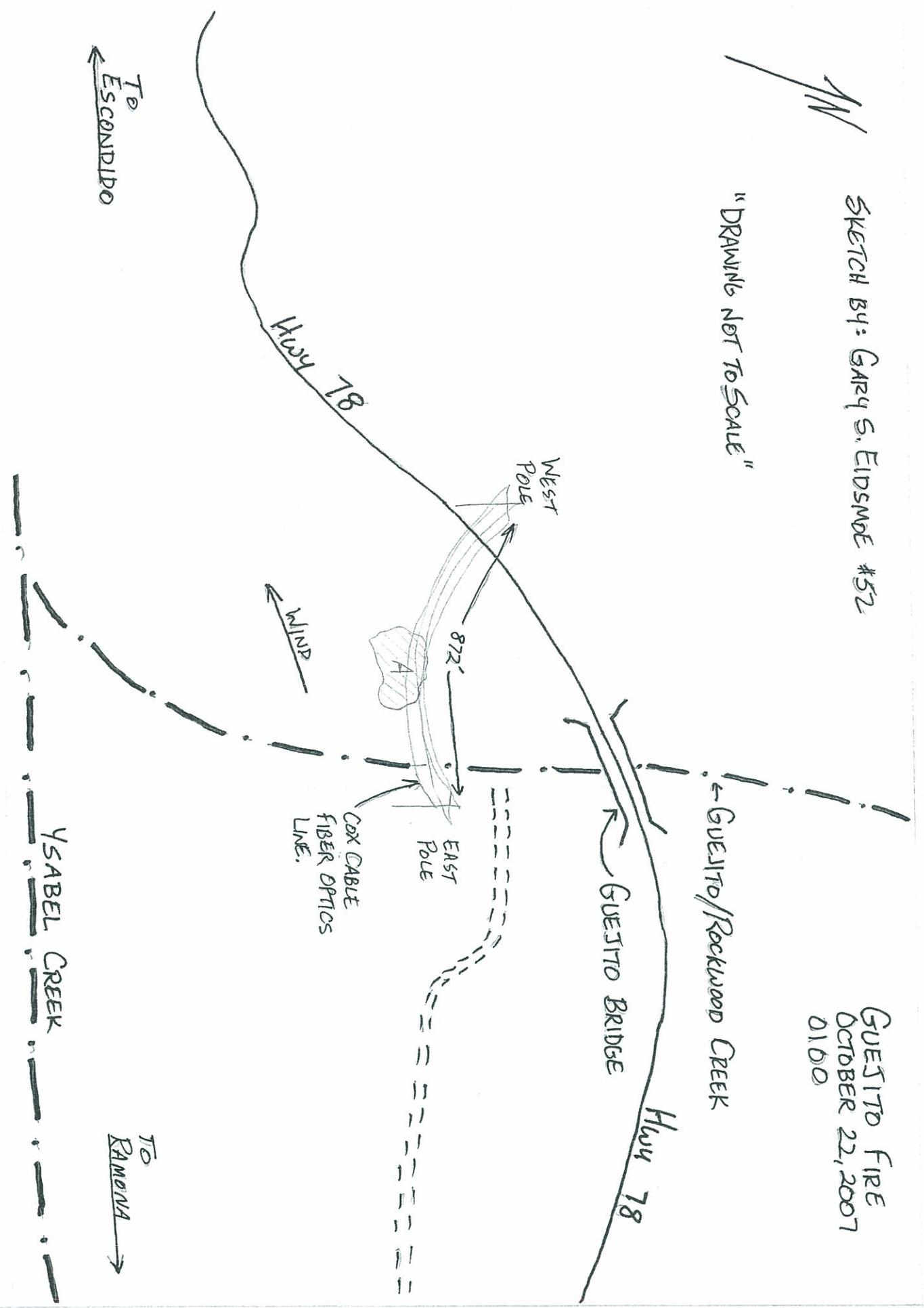
19. See Supplement?  Yes  No

20. Signature	Printed Name: Gary S. Eidsmoe	Title: FCS #52	Badge #: 52	Date: 01/17/08
21. Reviewed by:	Title:		Date:	

SKETCH BY: GARY S. EIDSMOE #52

GUESTITO FIRE  
OCTOBER 22, 2007  
0100

"DRAWING NOT TO SCALE"



4. Mature trees whose trunks and major limbs are located more than six inches, but less than 18 inches, from primary distribution conductors are exempt from the 18-inch minimum clearance requirement under this rule. The trunks and limbs to which this exemption applies shall only be those of sufficient strength and rigidity to prevent the trunk or limb from encroaching upon the six-inch minimum clearance under reasonably foreseeable local wind and weather conditions. The utility shall bear the risk of determining whether this exemption applies, and the Commission shall have final authority to determine whether the exemption applies in any specific instance, and to order that corrective action be taken in accordance with this rule, if it determines that the exemption does not apply.

Note: Added October 22, 1997 by Decision No. 97-10-056.

**36 Pole Clearances from Railroad Tracks**

Poles or other supporting structures which are set in proximity to railroad tracks shall be so located that the clearance requirements of General Order 26-D are met. The clearance requirements of General Order 26-D, applicable to pole line construction, are contained in Appendix E.

Note: Revised February 1, 1948 by Supplement No. 1 (Decision No. 41134, Case No. 4324).

**37 Minimum Clearances of Wires above Railroads, Thoroughfares, Buildings, Etc.**

Clearances between overhead conductors, guys, messengers or trolley span wires and tops of rails, surfaces of thoroughfares or other generally accessible areas across, along or above which any of the former pass; also the clearances between conductors, guys, messengers or trolley span wires and buildings, poles, structures, or other objects, shall not be less than those set forth in Table 1, at a temperature of 60\_ F. and no wind.

The clearances specified in Table 1, Case 1, Columns A, B, D, E and F, shall in no case be reduced more than 5% below the tabular values because of temperature and loading as specified in Rule 43. The clearances specified in Table 1, Cases 2 to 6 inclusive, shall in no case be reduced more than 10% below the tabular values because of temperature and loading as specified in Rule 43.

The clearance specified in Table 1, Case 1, Column C (22.5 feet), shall in no case be reduced below the tabular value because of temperature and loading as specified in Rule 43.

The clearances specified in Table 1, Cases 11, 12 and 13, shall in no case be reduced below the tabular values because of temperatures and loading as specified in Rule 43.

Where supply conductors are supported by suspension insulators at crossings over railroads which transport freight cars, the initial clearances shall be sufficient to prevent reduction to clearances less than 95% of the clearances specified in Table 1, Case 1, through the breaking of a conductor in either of the adjoining spans.

**Rule 37**

Where conductors, dead ends, and metal pins are concerned in any clearance specified in these rules, all clearances of less than 5 inches shall be applicable from surface of conductors (not including tie wires), dead ends, and metal pins, except clearances between surface of crossarm and conductors supported on pins and insulators (referred to in Table 1, Case 9) in which case the minimum clearance specified shall apply between center line of conductor and surface of crossarm or other line structure on which the conductor is supported.

All clearances of 5 inches or more shall be applicable from the center lines of conductors concerned.

Note: Modified January 8, 1980 by Decision No. 91186, March 9, 1988 by Resolution E-3076; and November 6, 1992 by Resolution SU-15, September 20, 1996 by Decision 96-09-097 and January 23, 1997 by Decision 97-01-044.

(This Space Intentionally Left Blank)

**Table 1: Basic Minimum Allowable Vertical Clearance of Wires above Railroads, Thoroughfares, Ground or Water Surfaces; Also Clearances from Poles, Buildings, Structures or Other Objects (nn) (Letter References Denote Modifications of Minimum Clearances as Referred to in Notes Following This Table)**

	Wire or Conductor Concerned

	<b>Clearance between wires, cables and conductors not supported on the same poles, vertically at crossings in spans and radially where colinear or approaching crossings</b>											
1	Span wires, guys and messengers (b)	18 (c)	48 (d, e)	24 (e)	24 (e)	36 (f)	36	72	72	78	78 (gg)	138 (hh)
2	Trolley contact conductors, 0 - 750 volts	48 (d, e)	-	48 (d)	48 (d, h)	48	72	96	96	96	96 (gg)	156 (hh)
3	Communication conductors	24 (e)	48 (d)	24	48 (i)	48 (dd)	72	96	96	96	96 (gg)	156 (hh)
4	Supply conductors, service drops and trolley feeders, 0 - 750 volts (qq)	24 (e)	48 (d, h)	48 (i)	24	48	48	96 (oo)	96	96	96(gg)	156 (hh)
5	Supply conductors, 750 - 7,500 volts (qq)	36 (f)	48	48 (dd)	48	48 (h)	72	96 (oo)	96	96	96(gg)	156 (hh)
6	Supply conductors, 7,500 - 20,000 volts (qq)	36	72	72	48	72	72	96 (oo)	96	96	96 (gg)	156 (hh)
7	Supply conductors, more than 20,000 volts (qq)	72 (g)	96 (g)	96 (g)	96 (g, oo)	96 (g, oo)	96 (g, oo)	96 (g, oo)	96 (g)	96	96 (gg)	156 (hh)
	<b>Vertical separation between conductors and/or cables, on separate crossarms or other supports at different levels (excepting on related line and buck arms) on the same pole and in adjoining midspans</b>											
8	Communication Conductors and Service Drops	-	-	12 (j)	48 (k, l, m, n, pp)	48 (k)	72 (m n)	72 (m)	72	78	87 (gg)	147 (hh)
9	Supply Conductors Service Drops and Trolley Feeders, 0 - 750 Volts	-	-	48 (k, l, m, n, pp)	24 (h, k, m, o)	48 (k, m, p)	48 (k, m, q)	72 (m, nn)	72	78	87 (gg)	147 (hh)

Table 2 (Continued)

Case No.	Nature of Clearance	A	B	C	D	E	F	G
		Span Wires (Other than Trolley Span Wires) Overhead Guys and Messengers	Communication Conductors (Including Open Wire, Cables and Service Drops), Supply Service Drops of 0 - 750 Volts	Trolley Contact, Feeder and Span Wires, 0 - 5,000 Volts	Supply Conductors of 0 - 750 Volts and Supply Cables Treated as in Rule 57.8	Supply Conductors and Supply Cables, 750 - 22,500 Volts	Supply Conductors and Supply Cables, 22.5 - 300 kV	Supply Conductors and Supply Cables, 300 - 550 kV (mm)
1	Crossing above tracks of railroads which transport or propose to transport freight cars (maximum height 15 feet, 6 inches) where not operated by overhead contact wires. (a) (b) (c) (d)	25 Feet	25 Feet	22.5 Feet	25 Feet	28 Feet	34 Feet	34 Feet (kk)
2	Crossing or paralleling above tracks of railroads operated by overhead trolleys. (b) (c) (d)	26 Feet (e)	26 Feet (e) (f) (g)	19 Feet (h) (i) (eee)	27 Feet (e) (g)	30 Feet (g)	34 Feet (g)	34 Feet (g) (kk)
3	Crossing or along thoroughfares in urban districts or crossing thoroughfares in rural districts. (c) (d)	18 Feet (j) (k) (ii)	18 Feet (j) (l) (m) (ii) (aa)	19 Feet (hh) (eee)	20 Feet (ii)	25 Feet (o) (ii)	30 Feet (o) (ii)	30 Feet (o) (ii) (kk)
4	Above ground along thoroughfares in rural districts or across other areas capable of being traversed by vehicles or agricultural equipment.	15 Feet (k)	15 Feet (m) (n) (p)	19 Feet (eee)	19 Feet	25 Feet (o)	30 Feet (o) (p)	30 Feet (o) (kk)
5	Above ground in areas accessible to pedestrians only	8 Feet	10 Feet (m) (q)	19 Feet (eee)	12 Feet	17 Feet	25 Feet (o)	25 Feet (o) (kk)
	Vertical clearance above walkable surfaces on buildings, (except generating plants or substations) bridges or other structures which do not ordinarily support conductors, whether attached or unattached.	8 Feet (r)	8 Feet (r)	8 Feet	8 Feet	12 Feet	12 Feet	20 Feet (ll)
6a	Vertical clearance above non-walkable surfaces on buildings, (except generating plants or substations) bridges or other structures, which do not ordinarily support conductors, whether attached or unattached	2 Feet	8 Feet (yy)	8 Feet	8 Feet (zz)	8 Feet	8 Feet	20 Feet
7	Horizontal clearance of conductor at rest from buildings (except generating plants and substations), bridges or other structures (upon which men may work) where such conductor is not attached thereto (s) (t)	-	3 Feet (u)	3 Feet	3 Feet (u) (v)	6 Feet (v)	6 Feet (v)	15 Feet (v)
8	Distance of conductor from center line of pole, whether attached or unattached (w) (x) (y)	-	15 inches (s) (aa)	15 inches (aa) (bb) (cc)	15 inches (o) (aa) (dd)	15 or 18 inches (o) (dd) (ee) (jj)	18 inches (dd) (ee)	Not Applicable

(zz) May be reduced to 2 feet for conductors insulated in accordance with 20.8-G

(aaa) Special requirements for communication and supply circuits energized at 0 - 750 volts 35

(bbb) May be reduced for conductor of less than 60,000 volts when protected from abrasion and grounding by contact with tree 35

(ccc) For 22.5 kV to 105 kV, minimum clearance shall be 18 inches.

(ddd) Clearances in this case shall be maintained for normal annual weather variations, rather than at 60 degrees, no wind.

(eee) May be reduced to 18 feet if the voltage does not exceed 1000 volts and the clearance is not reduced to more than 5% below the reduced value of 18 feet because of temperature and loading as specified in Rules 37 and 43.

Note: Revised February 1, 1948 by Supplement No. 1 (Decision No. 41134, Case No. 4324); January 2, 1962 by Resolution E-1109; February 7, 1964 by Decision No. 66707; March 29, 1966 by Decision No. 70489; August 9, 1966 by Decision No. 71094; September 18, 1967 by Decision No. 72984; March 30, 1968 by Decision No. 73813; January 8, 1980 by Decision No. 91186; March 9, 1988 by Resolution E-3076; November 21, 1990 by Resolution SU-6; January 21, 1992 by Resolution SU-10; and November 6, 1992 by Resolution SU-15, September 20, 1996 by Decision 96-09-097, October 9, 1996 by Resolution SU-40 and January 23, 1997 by Decision 97-01-044.

**Rule 37, Table 1**

**38 Minimum Clearances of Wires from Other Wires**

The minimum vertical, horizontal or radial clearances of wires from other wires shall not be less than the values given in Table 2 and are based on a temperature of 60° F. and no wind. Conductors may be deadended at the crossarm or have reduced clearances at points of transposition, and shall not be held in violation of Table 2, Cases 8-15, inclusive.

The clearances in Table 2 shall in no case be reduced more than 10 percent because of temperature and loading as specified in Rule 43 or because of a difference in size or design of the supporting pins, hardware or insulators. All clearances of less than 5 inches shall be applied between surfaces, and clearances of 5 inches or more shall be applied to the center lines of such items.

Note: Revised May 22, 1990 by Resolution No. SU-5.

(This Space Intentionally Left Blank)

**Table 2: Basic Minimum Allowable Clearance of Wires from Other Wires at Crossings, in Midspans and at Supports (Letter References Denote Modifications of Minimum Clearances as Referred to in Notes Following This Table) All Clearances are in Inches**

Case No.	Nature of Clearance and Class and Voltage of Wire, Cable or Conductor Concerned	Other Wire, Cable or Conductor Concerned										
		A	B	C	Supply Conductors (Including Supply Cables)							
					D	E	F	G	H	I	J	K (kk)
		Span Wires, Guys and Messengers	Trolley Contact Conductors 0 - 750 Volts	Communication Conductors (Including Open Wire, Cables and Service Drops)	0 - 750 Volts (Including Service Drops) and Trolley Feeders (a)	750 - 7,500 Volts	7,500 - 20,000 Volts	20,000 - 35,000 Volts	35,000 - 75,000 Volts	75,000 - 150,000 Volts	150,000 - 300,000 Volts	300,000 - 550,000 Volts

9	Distance of conductor from surface of pole crossarm or other overhead line structure upon which it is supported, providing it complies with case 8 above (x)	-	3 inches (aa) (ff)	3 inches (aa) (cc) (gg)	3 inches (aa) (dd) (gg)	3 inches (dd) (gg) (jj)	1/4 Pin Spacing Shown in Table 2 Case 15 (dd)	1/2 Pin Spacing Shown in Table 2 Case 15 (dd)
---	--	---	--------------------	-------------------------	-------------------------	-------------------------	---	---

**Table 1 (Continued)**

Case No.	Nature of Clearance	Wire or Conductor Concerned						
		A	B	C	D	E	F	G
		Span Wires (Other than Trolley Span Wires) Overhead Guys and Messengers	Communication Conductors (Including Open Wire, Cables and Service Drops), Supply Service Drops of 0 - 750 Volts	Trolley Contact, Feeder and Span Wires, 0 - 5,000 Volts	Supply Conductors of 0 - 750 Volts and Supply Cables Treated as in Rule 57.8	Supply Conductors and Supply Cables, 750 - 22,500 Volts	Supply Conductors and Supply Cables, 22.5 - 300 kV	Supply Conductors and Supply Cables, 300 - 550 kV (mm)
10	Radial centerline clearance of conductor or cable (unattached) from non-climbable street lighting or traffic signal poles or standards, including mastarms, brackets and lighting fixtures	-	1 Foot (u) (rr) (ss)	15 inches (bb) (cc)	3 Feet (oo)	6 Feet (pp)	10 Feet (qq)	10 Feet (ll)
11	Water areas not suitable for sailboating (tt) (uu) (ww) (xx)	15 Feet	15 Feet	-	15 Feet	17 Feet	25 Feet	25 Feet (kk)
12	Water areas suitable for sailboating, surface area of: (tt) (vv) (ww) (xx)							
	(A) Less than 20 acres	18 Feet	18 Feet	-	18 Feet	20 Feet	27 Feet	27 Feet (kk)
	(B) 20 to 200 acres	26 Feet	26 Feet	-	26 Feet	28 Feet	35 Feet	35 Feet (kk)
	(C) Over 200 to 2,000 acres	32 Feet	32 Feet	-	32 Feet	34 Feet	41 Feet	41 Feet (kk)
	(D) Over 2,000 acres	38 Feet	38 Feet		38 Feet	40 Feet	47 Feet	47 Feet (kk)
13	Radial clearance of bare line conductors from tree branches or foliage (aaa) (ddd)	-	-	18 inches (bbb)	-	18 inches (bbb)	1/4 pin spacing shown in table 2, Case 15 (bbb) (ccc)	1/2 pin spacing shown in table 2, Case 15

**References to Rules Modifying Minimum Clearances in Table 1 Rule Rule**

(a) Shall not be reduced more than 5% because of temperature or loading 37

1 Supply lines 54.4-B1

2 Communication lines 84.4-B1

(b) Shall be increased for supply conductors on suspension insulators, under certain conditions 37

(c) Special clearances are provided for traffic signal equipment 58.4-C

(d) Special clearances are provided for street lighting equipment 58.5-B

(e) Based on trolley pole throw of 26 feet. may be reduced where suitably protected 56.4-B2

1 Supply guys 56.4-B2

Table 4: Minimum Safety Factors

Element of Line	Grades of Construction			
	Grade "A"	Grade "B"	Grade "C"	Grade "F"
Conductors, splices and conductor fastenings (other than tie wires)	2	2	2	1
Pins	2	2	2	1
Pole line hardware	2	2	2	2
Line Insulators (mechanical)	3	2	2	2
Guy insulators (mechanical)				
Interlocking	2	2	2	2
Noninterlocking wood	3	3	3	-
Noninterlocking glass fiber	3	2 (a)	2 (b)	-
Guys, except in light loading rural districts	2	2	2	1.25
Guys in light loading rural districts	2	1.5	1.5	1.25
Messengers and span wires	2	2	2	2
Foundations against uplift	1.5	1.5	1.5	-
Foundations against depression	3	2	2	-
Poles Towers and Structures				
Wood poles	4	3	2	1
Metallic service and meter poles	-	2	2	-
Structural or tubular metallic poles, towers, structures, crossarms and metallic members of foundations	1.5 (c)	1.25 (c)	1.25 (c)	-
Reinforced concrete poles	4	3	3	-
Prestressed concrete poles, structures and crossarms	1.8	1.5	1.5	-
Other structural materials	1.5	1.25	1.25	-
Crossarms				
Wood	2	2	2	1
Steel	1.5	1.25	1.25	-
Concrete	1.8	1.5	1.5	-
Other structural material	1.5	1.25	1.25	-

- (a) Insulators are to be replaced before safety factors have been reduced (due to deterioration or changes in construction, arrangement, or other conditions subsequent to installation) to less than 95 percent of the safety factor specified in Rule 44.1.
- (b) Insulators are to be replaced before safety factors have been reduced (due to deterioration or changes in construction, arrangement, or other conditions subsequent to installation) to less than 75 percent of the safety factor specified in Rule 44.1.

On October 22, 2007, at approximately 0100 hours, my Strike Team and I were enroute to the Witch Fire in San Diego County. We were traveling east on Highway 78, east of the San Diego Wild Animal Park.

While driving I saw multiple flashes in general direction of travel; the flashes were similar to lightening in color and intensity.

Approximately two turns in the road ahead of where I noted the flashes of light I came upon a small fire (size of a small vehicle) underneath the power lines on the south side of the roadway (HWY 78) and near the western side of the Guajito Creek bridge. Travel time from flashes to arrival at the fire beneath the power lines was approximately 30 seconds.

I attempted to notify MVU ECC on MVU Local net of the new incident. There was no radio acknowledgement from MVU ECC to my recollection. According to telephone records, I contacted MVU ECC via my cell phone to report the new incident at Hwy 78 at Guejito Creek under the power lines. MVU replied that I was at the Witch fire. I advised that I could see the Witch fire five to six miles distant to the east, and that this was, indeed, a new and incipient stage fire, and requested initial attack dispatch of 2 STEN any type closest, 3 WT any type closest, 4 hand crews, 4 dozers type 2, in addition to my engine Strike Team. I assumed the "78" IC.

I deployed some my Strike Team resources to hold the fire on the south side of Hwy 78, and instructed the remainder of resources to turn around to head west to triage life and property risk potential.

A few minutes later the fire crossed the road to the north side of Hwy 78. Resources at scene were unable to catch the fire due to access (steep cut bank) and rate of spread. At this point there were several miles of headlights in the oncoming west-bound traffic (evacuees). We turned all evacuees around to travel east on Hwy 78, as both sides of Hwy 78 were now on fire, with fire progressing to the west.

I recontacted MVU to inquire about additional resources that were requested. MVU advised we were on our own unless we were able to flag down other resources that may be en route to the Witch fire,; MVU suggested ST3462C, ST 2025C, ST2330C.

I established the Incident Command Post (ICP) at Hwy 78 at a turnout (Witman Ranch?). Two of my Strike Team engines were in the Ranch for structure protection.

Battalion Chief "Gerry" (619) 980-3710, City of San Diego Fire, arrived an unknown amount of time later, and stated this was the "San Pasqual" fire. He confirmed that it was within the SD city limits. I offered to assist as needed, but that this was now his incident. I advised of current sit-stat and resources.

MVU Battalion Chief (O'Leary?) arrived at the incident as SDFD BC (Gerry) and I were setting initial objectives (s/o Hwy 78; w/o Highland Valley Rd.; e/o I-15). Initial priorities were to establish safety zones, structure protection only in the San Diego Wild

Animal Park, protect the City of Escondido, and local archaeological sites in the area. Gerry did not want to assume IC, BC O'Leary advised him that we were there as resources to him, and reiterated that this was San Diego City's responsibility..

Other resources and overhead arrived at the ICP I was not included in the briefing, as I was communicating with and directing initial attack incident resources (ST 9270C). No other local government resources were in communication with me or my resources, reportedly due to non-interopability of our communications (all of the local resources were on 800Mhz).

I requested a change of tactical frequencies to provide common communication from Gerry, the IC. He stated that he was now the "East" Branch and that I could communicate with him only on White 1. I advised we were following the forward progress of the fire and had assigned my ST resources along the dynamic leading edge for life and property protection. We deployed primarily in the area of the Orfila Winery at 13455 San Paqual Road for structure protection and rescue of a reporter trapped by fire.

Later in the early morning hours (before sunrise) I was recontacted by Gerry who assigned me as Division Z, to report to Tom (Bat 6, Escondido FD) who was now the Escondido Structure Branch. I was advised that this was now the "Guejito" incident, and that Chief Brewster was the Guejito IC on White 1. My assigned resources were: ST 9270C, ST 2330C, ST 2004C, ST 2025C, ST 4800A. During the early morning hours I was also given ST 9374G, ST 9375G. Later that afternoon I was given ST 9210C. My assigned division was from Sierra Linda in the City of Escondido on the west, to San Pasqual Valley Rd. on the north, to Bandy Canyon Rd. on the east, to San Pasqual Rd./Old Milky Way on the south.

We remained assigned to the Escondido Structure Branch until approximately 0400 on October 22 when we were reassigned immediate need to the Poomacha Incident in Valley Center.

Respectfully,



Suzanne Todd  
Battalion Chief  
CAL FIRE  
Amador-El Dorado Unit

On October 22, 2007, at approximately 0100 hours, my Strike Team and I were enroute to the Witch Fire in San Diego County. We were traveling east on Highway 78, east of the San Diego Wild Animal Park.

While driving I saw multiple flashes in general direction of travel; the flashes were similar to lightening in color and intensity.

Approximately two turns in the road ahead of where I noted the flashes of light I came upon a small fire (size of a small vehicle) underneath the power lines on the south side of the roadway (HWY 78) and near the western side of the Guajito Creek bridge. Travel time from flashes to arrival at the fire beneath the power lines was approximately 30 seconds.

I attempted to notify MVU ECC on MVU Local net of the new incident. There was no radio acknowledgement from MVU ECC to my recollection. According to telephone records, I contacted MVU ECC via my cell phone to report the new incident at Hwy 78 at Guejito Creek under the power lines. MVU replied that I was at the Witch fire. I advised that I could see the Witch fire five to six miles distant to the east, and that this was, indeed, a new and incipient stage fire, and requested initial attack dispatch of 2 STEN any type closest, 3 WT any type closest, 4 hand crews, 4 dozers type 2, in addition to my engine Strike Team. I assumed the "78" IC.

I deployed some my Strike Team resources to hold the fire on the south side of Hwy 78, and instructed the remainder of resources to turn around to head west to triage life and property risk potential.

A few minutes later the fire crossed the road to the north side of Hwy 78. Resources at scene were unable to catch the fire due to access (steep cut bank) and rate of spread. At this point there were several miles of headlights in the oncoming west-bound traffic (evacuees). We turned all evacuees around to travel east on Hwy 78, as both sides of Hwy 78 were now on fire, with fire progressing to the west.

I recontacted MVU to inquire about additional resources that were requested. MVU advised we were on our own unless we were able to flag down other resources that may be en route to the Witch fire,; MVU suggested ST3462C, ST 2025C, ST2330C.

I established the Incident Command Post (ICP) at Hwy 78 at a turnout (Witman Ranch?). Two of my Strike Team engines were in the Ranch for structure protection.

Battalion Chief "Gerry" (619) 980-3710, City of San Diego Fire, arrived an unknown amount of time later, and stated this was the "San Pasqual" fire. He confirmed that it was within the SD city limits. I offered to assist as needed, but that this was now his incident. I advised of current sit-stat and resources.

MVU Battalion Chief (O'Leary?) arrived at the incident as SDFD BC (Gerry) and I were setting initial objectives (s/o Hwy 78; w/o Highland Valley Rd.; e/o I-15). Initial priorities were to establish safety zones, structure protection only in the San Diego Wild

Animal Park, protect the City of Escondido, and local archaeological sites in the area. Gerry did not want to assume IC, BC O'Leary advised him that we were there as resources to him, and reiterated that this was San Diego City's responsibility..

Other resources and overhead arrived at the ICP I was not included in the briefing, as I was communicating with and directing initial attack incident resources (ST 9270C). No other local government resources were in communication with me or my resources, reportedly due to non-interoperability of our communications (all of the local resources were on 800Mhz).

I requested a change of tactical frequencies to provide common communication from Gerry, the IC. He stated that he was now the "East" Branch and that I could communicate with him only on White 1. I advised we were following the forward progress of the fire and had assigned my ST resources along the dynamic leading edge for life and property protection. We deployed primarily in the area of the Orfila Winery at 13455 San Paqual Road for structure protection and rescue of a reporter trapped by fire.

Later in the early morning hours (before sunrise) I was recontacted by Gerry who assigned me as Division Z, to report to Tom (Bat 6, Escondido FD) who was now the Escondido Structure Branch. I was advised that this was now the "Guejito" incident, and that Chief Brewster was the Guejito IC on White 1. My assigned resources were: ST 9270C, ST 2330C, ST 2004C, ST 2025C, ST 4800A. During the early morning hours I was also given ST 9374G, ST 9375G. Later that afternoon I was given ST 9210C. My assigned division was from Sierra Linda in the City of Escondido on the west, to San Pasqual Valley Rd. on the north, to Bandy Canyon Rd. on the east, to San Pasqual Rd./Old Milky Way on the south.

We remained assigned to the Escondido Structure Branch until approximately 0400 on October 22 when we were reassigned immediate need to the Poomacha Incident in Valley Center.

Respectfully,

Suzanne Todd  
Battalion Chief  
CAL FIRE  
Amador-El Dorado Unit

Notes:

The following sequence of events commenced at approximately 0105 hours on October 22, 2007.

- while enroute to the Witch Fire
- traveling east on Highway 78 east of the San Diego Wild Animal Park
- several miles of headlights in oncoming WB traffic (evacuees)
- saw multiple flashes in general direction of travel, flashes similar to lightening
- approximately two turns in road ahead of our location upon first notice of flashes
- travel time from flash to arrival at fire approximately 30 seconds
- came upon a small fire (size of a small vehicle) underneath the power lines
- south side of roadway, west side of Guajito Creek bridge
- Attempted to notify MVU ECC on MVU Local net of new incident. No radio acknowledgement to my recollection.
- Deployed ST resources to hold fire on south side of Hwy 78, remainder of resources to turn around to head west, triage life and property risk potential.
- Made contact with MVU (via cell?) to report new incident at Hwy 78 at Guejito Creek under the power lines. MVU replied that I was at the Witch fire. I advised that I could see the Witch fire five to six miles distant to the east, and that this was, indeed, a new and incipient stage fire, and requested initial attack dispatch of 2 STEN any type closest, 3 WT any type closest, 4 hand crews, 4 dozers type 2, in addition to my engine Strike Team. I assumed the "78" IC.
- Fire crossed to north side of Hwy 78
- Recontact with MVU to inquire about additional resources that were requested. MVU advised we were on our own unless we can flag down other resources that may be en route to the Witch fire,; MVU suggested ST3462C, ST 2025C, ST2330C.
- Turned all evacuees around to travel east on Hwy 78, as both sides of Hwy were now on fire, fire progressing to the west.
- Established ICP at Hwy 78 at a turnout (Witman Ranch?).
- Battalion Chief "Gerry" (619) 980-3710, City of San Diego Fire, arrived unknown time later, stated this was the "San Pasqual" fire. He confirmed that it was within the SD city limits. I offered to assist as needed, but that this was now his incident. I advised of current sit-stat and resources.
- MVU Battalion (O'Leary?) arrived as SDFD BC and I were setting initial objectives (s/o Hwy 78; w/o Highland Valley Rd.; e/o I-15). Initial priorities were to establish safety zones, structure protection only in the San Diego Wild Animal Park, protect the City of Escondido, and local archaeological sites in the area.
- Gerry did not want to assume IC, BC O'Leary advised him that we were there as resources to him.
- Other resources and overhead arrived at the ICP, I was not included in the briefing, as I was communicating with and directing incident resources (ST 9270C). No other local government resources were in communication with me or

my resources, reportedly due to non-interopability of our communications (they on 800Mhz).

- I requested a change of tactical frequencies to provide common communication from Gerry, the IC. He stated that he was now the “East” Branch and that I could communicate with him only on White 1. I advised we were following the forward progress of the fire and had assigned my ST resources along the dynamic leading edge for life and property protection. We deployed primarily in the area of the Orfila Winery at 13455 San Paqual Road for structure protection and rescue of a reported trapped by fire.
- Later in the early morning hours (before sunrise) I was recontacted by Gerry who assigned me as Division Z, to report to Tom (Bat 6, Escondido FD) who was now the Escondido Structure Branch. I was advised that this was now the “Guejito” incident, and the Chief Brewster was the Guejito IC on White 1. My assigned resources were: ST 9270C, ST 2330C, ST 2004C, ST 2025C, ST 4800A. During the early morning hours I was also given ST 9374G, ST 9375G. Later that afternoon I was given ST 9210C. My assigned division was from Sierra Linda in the City of Escondido on the west, to San Pasqual Valley Rd. on the north, to Bandy Canyon Rd. on the east, to San Pasqual Rd./Old Milky Way on the south.
- We remained assigned to the Escondido Structure Branch until approximately 0400 on October 22 when we were reassigned immediate need to the Poomacha Incident in Valley Center.

Roster for ST 9270C  
Guajito/San Pasqual/78 Fire  
Start date: October 22, 0105 hours

---

Suzanne Todd	Strike Team Leader	530.919.4511
Justin Sanders	Fire Captain E2761	916.844.8283
Timothy Yee	Firefighter E2761	916.844.8547
Silverio Herrera	Firefighter E2761	916.837.5281
Jose Madrid	FAE E2771	530.417.3215
Erik Fiedler	Firefighter E2771	530.306.8129
Nicole Lozano	Firefighter E2771	916.508.3455
Rob Wheatley	Fire Captain E2782	530.277.8625
Scott Hertzog	Firefighter E2782	209.304.9719
Dustin Benke	Firefighter E2782	916.337.7231
Mark Brooks	Fire Captain E2753	530.417.3421
Tim McNew	Firefighter E2753	unk
Walker Exstrom	Firefighter E2753	530.417.1573
Julie Pyevach	FAE E2784	916.837.5109
Greg Schwegler	Firefighter E2784	530.957.0104
Jason Podesta	Firefighter E2784	209.768.6091

On 10-21-07 I was dispatched to the Witch Fire as part of ST 9270C. I was the operator on E2782 along with my two FF1's, Scott Hertzog and Dustin Benke. We were traveling East on Hwy.78, outside of Escondido and somewhere past the "Wild Animal Park", at approximately 0030-0100. E2782 was the last of five engines being led by B2711. The Hwy. was closed to all but evacuation traffic so there was no other traffic headed East bound, but there was an almost solid line of traffic headed West bound, towards us. The Hwy. at this point, is a two lane road and slightly winding. We could see the Witch Fire coming over the ridge several miles off in the distance. I then saw a flash in the sky similar to lightning. I asked the firefighters if they saw it and they said yes. At this point I commented that it was probably power lines slapping, as the sky was clear, so it was unlikely that it was lightning and the wind was blowing in excess of 45mph. We then saw a whole series of flashes in the sky, approx. 4-5 flashes. It appeared to be just around the corner and over a spur ridge, from our location. As we rounded the corner we saw several large power lines hanging low over the road. The other engines were on the far side of the lines along with our Strike Team Leader. Cars were still driving under the lines and it appeared that the lines might fall further so I pulled my engine diagonal across the lane to block East bound traffic, and then called the lead engine, E2761, and asked him to block West bound traffic. As I was doing this my firefighters said "fire". I looked to my right, and saw a fire approximately 3'X3', under the power lines as they sagged towards the ground. The fire was approximately 150'-200' off the road, on the South side.

The fire was burning in what appeared to be drainage or wash. The fuel was grass, brush and woody debris. I notified the Strike Team Leader and heard her call the fire in, on MVU Local. I told my firefighters to stand by, as we could not attack the fire due to the proximity of the power lines. Within seconds of my first seeing the fire, it was producing flame lengths of 30'-50' and running with the wind. I met face to face with a local Battalion Chief that was assigned to the Witch Fire and was traveling West bound, towards Escondido. Our Strike Team Leader pulled up next to us and I was assigned to take three engines and keep the fire to the South side of Hwy.78. The local BC stated that he was assigned to the Witch Fire, 5-6 miles East of our location, so our Strike Team Leader would have to take I.C. I returned to my engine and took two other engines to try and hold the road.

It had only been 5-10 minutes since we first saw the fire. I estimated the fire to be 15-20 acres, moving West. The fire was exhibiting extreme fire behavior, and spotting several hundred feet in front of itself. By the time we turned engines around and moved down the road, it had already spotted across the road in several places. All three engines attacked the spots and were able to pick them up. Just as we finished picking up the spots, a Strike Team of OES engines from Sacramento pulled up and helped hold the road. The fire had now run into an orchard and a sod farm, which funneled it away from the road and into a narrow wash approximately 300' wide.

We left the OES Strike Team to hold the road and continued back down Hwy. 78, West bound, towards Escondido, in an attempt to get ahead of the fire. We found a dirt road approximately 1/3 of a mile in front of the fire's head. The road cut through the wash and tied into a sod farm. I scouted it out and decided that this would be a good place to try a firing operation. I notified the I.C. of our intentions and

after getting approval we fired the road in front of the main fire. When we started firing, the main fire was still several hundred yards away. We fired the road from the sod farm over to the orchard near Hwy 78 without problem. We had 50' of good black when the main fire hit. It never even slowed down. First it spotted everywhere and then the fire front hit and washed right past us. We left one engine to protect a structure as the fire moved by and headed back out to Hwy. 78 to try, once again, to get in front of the fire. We took the rest of the strike team West on 78 towards Escondido. As we passed the fire front again, we saw spot fires on the side of a mountain over half a mile in front of the fire. At this point we realized that our only option now was to start structure protection and evacuation in front of the fire.

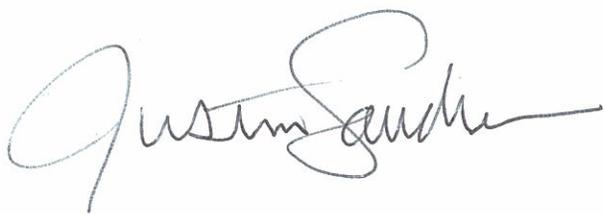
Our next stop was San Pasqual Valley Rd. several miles in front of the fire. The wind continued to blow in excess of 45mph, and the fire behavior became even more extreme with flame lengths over 100'. We spent the next 30 hours in the San Pasqual and East Escondido area before being reassigned to the Poomacha Fire.

Rob Wheatley  
  
Fire Captain

1-26-08

On October 22, 2007 @ approximately 0100 hours while assigned to Strike Team 9270C, on Engine 2761, I (Justin Sanders, Fire Captain) witnessed the following:

While driving E2761 East on Highway 78 towards the "Witch" fire, I saw two bright flashes of light approximately 3 minutes apart in front of me. I thought the bright flashes of light were Arcing Power Lines. I continued to drive towards the "Witch" fire and when I passed the "Wild Animal Park" on Hwy 78, I saw on the opposite side of the road, a small 40' X 40' fire burning under the High Voltage Power Lines. The High Voltage Power Lines were on the ground and they were in the middle of the fire. With the current weather conditions and the dangers of working around live High Voltage Power Lines, the Strike Team of Engines utilized defensive firefighting tactics (Indirect Attack) to try and put out the fire.



2/10/2008

Justin Sanders  
Fire Captain  
CAL-FIRE  
(530)622-3858

## **Witness detail of Witch & Guejito fires – October 2007**

I was at home on the evening of October 21 2007 during a Santa Anna wind event. Earlier that afternoon I witnessed smoke coming from Ramona. The news reported that a fire had started near Witch Creek, east of Ramona. It was named the Witch fire. The Santa Anna winds were carrying the Witch fire smoke in a west – southwest direction, just south of my home.

10:00 p.m.

The winds continued to blow harder, and the smoke was beginning to settle in the San Pasqual valley where my home is. Once darkness fell, the glow of the Witch fire was visible east of our home in the Clevenger Canyon. I heard a report that the fire would eventually crest the hills above San Pasqual, and head toward Highland valley – so I began to prepare the house.

12:45 a.m.

While outside my home I saw a couple of flashes in the direction of our corn field (west of the house). The flashes were in the area of the power lines that run east-west over our property. The wind continued to pick up speed.

1:00 a.m.

While outside my home I witnessed another flash in the direction of our corn field (west of the house). The flash appeared to be an arc from a power line down to the ground. This time the flash resulted in a fire start. The fire grew very rapidly. Once it was established I could see that it had started in the Guejito creek, just west of our property. The fire started down the riverbed, in a southwest direction.

1:30 a.m.

The head of the fire that started in the Guejito creek was almost out of sight. It appeared to have met with the Santa Ysabel creek which bisects the Guejito creek.

2:30 a.m.

The Witch fire was cresting the hills above the San Pasqual Academy – on the south side of the San Pasqual Valley. The fire began to back down the north-facing slopes, and continue west along the ridge.

2:55 a.m.

The Witch fire had backed all the way down the slopes, and met with the San Pasqual Academy. The fire at the top of the ridge was continuing west. Embers were reaching our property from the Witch fire.

5:00 a.m.

Smoke from the Witch fire had become very thick – as a result, not much of the fire was visible anymore. Embers were showering down on our property. The wind continued to pick up speed. A strike team of engines came to our house.

## **Witness detail of Witch & Guejito fires – October 2007**

I was at home on the evening of October 21 2007 during a Santa Anna wind event. Earlier that afternoon I witnessed smoke coming from Ramona. The news reported that a fire had started near Witch Creek, east of Ramona. It was named the Witch fire. The Santa Anna winds were carrying the Witch fire smoke in a west – southwest direction, just south of my home.

10:00 p.m.

The winds continued to blow harder, and the smoke was beginning to settle in the San Pasqual valley where my home is. Once darkness fell, the glow of the Witch fire was visible east of our home in the Clevenger Canyon. I heard a report that the fire would eventually crest the hills above San Pasqual, and head toward Highland valley – so I began to prepare the house.

12:45 a.m.

While outside my home I saw a couple of flashes in the direction of our corn field (west of the house). The flashes were in the area of the power lines that run east-west over our property. The wind continued to pick up speed.

1:00 a.m.

While outside my home I witnessed another flash in the direction of our corn field (west of the house). The flash appeared to be an arc from a power line down to the ground. This time the flash resulted in a fire start. The fire grew very rapidly. Once it was established I could see that it had started in the Guejito creek, just west of our property. The fire started down the riverbed, in a southwest direction.

1:30 a.m.

The head of the fire that started in the Guejito creek was almost out of sight. It appeared to have met with the Santa Ysabel creek which bisects the Guejito creek.

2:30 a.m.

The Witch fire was cresting the hills above the San Pasqual Academy – on the south side of the San Pasqual Valley. The fire began to back down the north-facing slopes, and continue west along the ridge.

2:55 a.m.

The Witch fire had backed all the way down the slopes, and met with the San Pasqual Academy. The fire at the top of the ridge was continuing west. Embers were reaching our property from the Witch fire.

5:00 a.m.

Smoke from the Witch fire had become very thick – as a result, not much of the fire was visible anymore. Embers were showering down on our property. The wind continued to pick up speed. A strike team of engines came to our house.

6:00 a.m.

The strike team of engines departed from our house. It appeared that part of the Witch fire was still making its way down from Clevenger canyon – east of our property.

7:30 a.m.

We could hear the Witch fire coming from the east. The wind picked up to about 70 mph, embers and debris was blowing in every direction.

7:45 a.m.

The Witch fire came full force down the Santa Ysabel creek. It leaped over the highway 78 bridge (just east of our property) and continued down the riverbed toward the west. The fire was also coming from the cemetery across the highway (east of our property).

8:15 a.m.

The main front of the fire had passed us, and continued to the west. The store across the highway (north of our property) was fully engulfed. My uncle's house just west of our house was fully engulfed. We continued to put out spot fires.



Tyson Short – landowner  
17331 San Pasqual Valley Road  
Escondido, CA 92027

October 21 & 22<sup>nd</sup> 2007

On Sunday, October 21<sup>st</sup> 2007 I was at my home on 17331 San Pasqual Valley Rd. I was with my daughter, my mother-in-law, and my husband. The Witch fire that started earlier that afternoon was visible to the east once it grew dark. The smoke that had stayed to the south of us all day was now blowing in our direction. Around 9:30 p.m. my husband started to prepare the outside of the house just in case the fire made it to us. I stayed inside with my daughter and mother-in-law.

About 1:05 a.m. on Monday the 22<sup>nd</sup> my husband came inside to wake me, and tell me that the Guejito creek east of our property was on fire. I looked out the window, and saw the fire well established, and running in a southwest direction. I began to pack a bag, and prepare to leave.

At 2:30a.m. I departed from our home, daughter & mother-in-law in tow. We attempted to go west on Highway 78, but were turned around by fire crews. We then headed east on 78, past our house. That's when I saw the Witch fire to the east cresting on the hills above the San Pasqual Academy, starting to descend down the hills. I turned and headed west on Bandy Canyon Rd.

At 2:45 a.m. we were driving approximately 1 mile east of Fenton Ranch (Bandy Canyon) still on Bandy Canyon Rd. At that time I could see that the fire that started in the Guejito Creek had made it's way into the Santa Ysabel Creek, and traveled west to the point where it was parallel to my location on Bandy Canyon Rd. The fire continued west down the creek, and was breaching the riverbed in a southwest direction through a field, toward Bandy Canyon Rd. in the Highland Valley direction. We crested the top of Bandy Canyon near the intersection of Highland Valley Rd. knowing it would only be a matter of minutes before the fire would travel up the hill in our direction. Smoke and embers were cast ahead of the fire.

At 3:10 a.m. I arrived at my parent's home at 20891 Viento Valle. From there I could see that the fire in the Santa Ysabel Creek had reached the top of Highland Valley, and crossed over Bandy Canyon Rd. like I thought it would. The same fire also continued west down the Santa Ysabel riverbed, heading toward Lake Hodges.



Lynnette Short  
Homeowner  
17331 San Pasqual Valley Rd.

January 8, 2008

**VIA TELEPHONIC FACSIMILE and CERTIFIED MAIL**

Dean Le Brecht  
Claims Department  
San Diego Gas & Electric  
9965 Carroll Canyon Rd., SD1386  
San Diego, CA. 92131-1105

**Re: Guejito Fire  
CDF Case: CA-MVU-010484**

Dear Mr. Le Brecht,

The California Department of Forestry and Fire Protection (CAL FIRE) is mandated to investigate all wildland fire incidents to determine both potential criminal liability, if any, as well as any civil liability for potential reimbursement of the cost of wildland fire suppression in the above-referenced fire. CAL FIRE is the law enforcement authority that is investigating the above-referenced fire, and considers the area of the origin of the above-referenced wildland fire to be a potential crime scene containing tangible, relevant evidence. The area of origin of that wildland fire has preliminarily been determined to be in Guejito Creek, south of the Hwy 78 in San Pasqual Valley.

THEREFORE, PLEASE TAKE NOTICE that, as the investigative law enforcement agency, CAL FIRE is asserting its authority to control that crime scene. Please do not attempt to tamper with or alter the area in any manner whatsoever or attempt to obstruct our investigation, including, but not limited to, seizing, replacing, or disposing of any poles, conductors, guys, insulators, or appurtenant equipment.

PLEASE TAKE FURTHER NOTICE that CAL FIRE field personnel have no authority to allow access to the crime scene, and, further, that any such prior permission to enter the crime scene is hereby revoked.

Inasmuch as a number of issues remain to be addressed in CAL FIRE's investigation of the above-referenced fire, CAL FIRE also requests that within 10 days of receipt of this letter that Southern California Edison and/or Edison International, as well as their officers, employees, contractors, agents and/or their assigns, produce the following information, items and documents which are relevant to the completion of said investigation:

1. Any and all witness statements that were taken by representatives of SDG&E/SEMPRA regarding to the Rice Fire.
2. Any and all SDG&E/SEMPRA photos of the fire origin area, and any photos of the area prior to the fire.
3. Any and all aerial photos of the fire scene during 2004, 2005, 2006, and 2007.
4. Any and all fire scene photos, which were taken at or near the area of origin.
5. Circuit map for the circuit adjacent to the point of origin.
6. The construction "Estimate" and "Work Order" for the construction of the circuit and pole the area adjacent to the point of origin.
7. Any construction records regarding the circuit, poles, and equipment in the area adjacent to the point of origin, including any after the fire on October 22, 2007.
8. A copy of SDG&E/SEMPRA's equivalent of SCE's System Operating Bulletin #22 for 2003, 2004, 2005, 2006, and 2007.
9. An admission by SDG&E/SEMPRA that the point of origin was a Bulletin 22-type area?
10. Any and all records of Bulletin 22-type inspections on the circuit, poles, and equipment in the area adjacent to the point of origin, for 2004, 2005, 2006, and 2007.
11. The wind loading tables for the circuit in the area adjacent to the point of origin, for 2004, 2005, 2006, and 2007.
12. The utility's definition of a "heavy loading area."

13. SDG&E/SEMPRA high wind area maps.
14. SDG&E/SEMPRA engineering policies, practices, and standards for all facilities and equipment in high wind areas.
15. An admission by SDG&E/SEMPRA that the pole was located in an area governed by the California Public Resources Code.
16. Any and all records of post-audit inspections of the circuit, poles, and equipment in the area adjacent to the point of origin, for 2004, 2005, 2006, and 2007.
17. Inspection records for 2004, 2005, 2006, and 2007 for the aforementioned circuit.
18. Any maintenance records for 2004, 2005, 2006, and 2007 for the aforementioned circuit.
19. Any and all records of any and all inspections on the circuit, poles, and equipment in the area adjacent to the point of origin, for 2004, 2005, 2006, and 2007.
20. Any and all grid/circuit reports for the circuit, poles, and equipment in the area adjacent to the point of origin, for 2004, 2005, 2006, and 2007.
21. The operation and maintenance policy and procedures manual in effect at the time of the fire.
22. Any and all SDG&E/SEMPRA documents relating to the cause of the fire.
23. Name the jurisdiction in which the circuit, poles, and equipment in the area adjacent to the point of origin of the respective fire are located.

24. Any and all SDG&E/SEMPRA-generated investigation reports for the cause of the subject fire.
25. Who inspected the area at and around the circuit, poles, and equipment in the area adjacent to the point of origin, for 2004, 2005, 2006, and 2007?
26. Any and all written reports by the troubleman in relation to the events surrounding the fire at the circuit, poles, and equipment in the area adjacent to the point of origin, for 2004, 2005, 2006, and 2007.
27. Any and all outage reports for the circuit in the area adjacent to the point of origin, for 2004, 2005, 2006, and 2007.
28. The location and number of any Automatic Recloser (AR), if any, on the circuit for the distribution line which caused the fire
29. Any and all "Automatic Recloser" ("AR") records for the circuit in the area adjacent to the point of origin, for 2004, 2005, 2006, and 2007.
30. The Ground and Phase settings for the aforementioned AR.
31. The location and number of any Source Side Device on the distribution line which caused the fire.
32. The location and number or name of the Circuit Breaker that controlled the distribution line which caused the fire.
33. The Ground and Phase setting for the aforementioned Circuit Breaker.
34. Any and all SDG&E/SEMPRA-generated metallurgy reports regarding the subject fire.

35. Any SDG&E/SEMPRA origin and cause investigation report for the subject fire.
36. Any and all records of measurements taken by SDG&E/SEMPRA or its contractors at the area of origin of the fire
37. SDG&E/SEMPRA business and performance reports for 2004, 2005, 2006, and 2007.
38. Any and all SDG&E/SEMPRA reports to shareholders regarding profit/loss due to payment of fire suppression costs, during 2004, 2005, 2006, and 2007.
39. Any and all reports by SDG&E/SEMPRA to the CPUC regarding the subject fire.
40. Any and all press releases by SDG&E/SEMPRA regarding the subject fire.
41. Any and all e-mails, letters, or other communications by SDG&E/SEMPRA to the Governor of the State of California, including, but not limited to his staff, employees or agents; the Attorney General of the State of California, including but not limited to his staff, employees or agents; any member of the United States House of Representatives, including, but not limited to his/her staff, employees or agents; any member of the United States Senate, including, but not limited to his/her staff, employees or agents; any member of the California Legislature, including, but not limited to his/her staff, employees or agents; the San Diego County Board of Supervisors, the Mayor and City Council of the City of San Diego, including, but not limited to his/her staff, employees or agents; or any other elected official, regarding the subject fire.
42. Any and all communications between SDG&E/SEMPRA and the San Diego County fire agencies regarding the subject fire.
43. SDG&E/SEMPRA operations and maintenance policy and procedures manual.
44. Any SDG&E/SEMPRA accident prevention manuals dated November 1997 to present.

45. Any and all SDG&E/SEMPRA fire reporting manuals.
46. SDG&E/SEMPRA Claims Department policy and guidelines for handling fire suppression cost claims and requests for information and documents relating to a fire incident for the circuit, poles, and equipment in the area adjacent to the point of origin, for 2004, 2005, 2006, and 2007.
47. Listing of any and all maintenance-related budget increases allowed by the CPUC during 2004, 2005, 2006, and 2007.
48. Any and all SDG&E/SEMPRA memos or reports during 2004, 2005, 2006, and 2007, regarding SDG&E/SEMPRA's grid, circuit, line, and pole maintenance obligations.
49. Any and all SDG&E/SEMPRA inspection reports for the circuit, poles, and equipment in the area adjacent to the point of origin, during 2004, 2005, 2006, and 2007.
50. Any and all computer generated reports regarding grid, circuit, line, and pole maintenance report schedules and maintenance information for the circuit adjacent to the origin of the subject fire.
51. 2006 maintenance report with supporting documents for the circuit, poles, and equipment in the area adjacent to the point of origin.
52. Daily record of events dated 10/19/07 – 10/31/07, for the circuit, poles, and equipment in the area adjacent to the point of origin.
53. Any and all reports/records of maintenance performed on the circuit, poles, or equipment in the area adjacent to the point of origin, during 2004, 2005, 2006, and 2007.

54. Any and all reports/records from 10/19/07 through 10/31/07 that may reasonably indicate faults on the circuit, poles, and equipment in the area adjacent to the point of origin.
55. Any and all right-of-way/easements, and agreements, current or expired, within one-half mile radius of the circuit, poles, and equipment in the area adjacent to the point of origin.
56. Any and all records of post-audit inspections of the circuit, poles, and equipment in the area adjacent to the point of origin, for 2004, 2005, 2006, and 2007.
57. Any and all SDG&E/SEMPRA inspectors' reports with any follow-up reports identifying any unsatisfactory maintenance issues, or improper construction or engineering techniques for the aforementioned SDG&E/SEMPRA circuit in the area adjacent to the point of origin during 2004, 2005, 2006, and 2007.
58. Any and all Cox Cable inspectors' reports with any follow-up reports identifying any unsatisfactory maintenance issues, or improper construction or engineering techniques for the aforementioned SDG&E/SEMPRA circuit in the area adjacent to the point of origin during 2004, 2005, 2006, and 2007.
59. Any and all SDG&E/SEMPRA inspectors' reports with any follow-up reports identifying any unsatisfactory maintenance issues, or improper construction or engineering techniques for the aforementioned Cox Cable TV cable circuit in the area adjacent to the point of origin during 2004, 2005, 2006, and 2007.
60. Any and all SDG&E/SEMPRA line inspector referrals to SDG&E/SEMPRA maintenance employees, contractors, or agents for necessary maintenance, construction or engineering corrections on the aforementioned SDG&E/SEMPRA circuit in the area adjacent to the point of origin, for 2004, 2005, 2006, and 2007.
61. Any and all Cox Cable line inspector referrals to SDG&E/SEMPRA maintenance employees, contractors, or agents for necessary maintenance, construction or engineering corrections

on the aforementioned SDG&E/SEMPRA circuit in the area adjacent to the point of origin, for 2004, 2005, 2006, and 2007.

62. Any and all evidence that is exculpatory.

CAL FIRE greatly appreciates your anticipated assistance and cooperation in providing the foregoing information, items and documents. If there is a problem in providing particular information, items or documents within 10 days of receipt of this letter, CAL FIRE is prepared to be flexible provided that you contact me immediately and establish an acceptable schedule for providing the aforementioned information, items and documents. Any information or materials provided in response to this communication will remain within the context of the investigation unless otherwise required by law.

Please deliver the following requested information, items and documents, together with Southern California Edison's bill for the reasonable cost of reproduction of such documents, to:

Pete J. Marquez, Deputy Chief  
CAL FIRE  
Southern Region Fire Prevention/Law Enforcement  
1234 E. Shaw Ave. Fresno CA 93710  
Office: (559) 243-4117  
Cell: (559)779-8692  
Fax : (559)222-3409

If you have any comments or inquiries, please do not hesitate to contact me at your earliest convenience.

Most cordially,

PETE J. MARQUEZ  
Southern Region Fire Prevention/Law Enforcement  
California Department of Forestry  
and Fire Protection

cc: D. Hillman  
T. Hoffman  
G. Chandler, Esq.  
R. Harrington, Esq.  
B. Darrington  
bcc: T. Cronin

January 18, 2007

**VIA TELEPHONIC FACSIMILE and CERTIFIED MAIL**

Don Stryzko  
Senior Director of Risk Management  
Cox Enterprises, Inc.  
6205 Peachtree Dunwoody Rd.  
Atlanta, Georgia. 30328

**Re: Guejito Fire**  
**CDF Case: CA-MVU-010484**

Dear Mr. Stryzko,

The California Department of Forestry and Fire Protection (CAL FIRE) is mandated to investigate all wildland fire incidents to determine both potential criminal liability, if any, as well as any civil liability for potential reimbursement of the cost of wildland fire suppression in the above-referenced fire. CAL FIRE is the law enforcement authority that is investigating the above-referenced fire, and considers the area of the origin of the above-referenced wildland fire to be a potential crime scene containing tangible, relevant evidence. The area of origin of that wildland fire has preliminarily been determined to be in Guejito Creek, south of the Hwy 78 in San Pasqual Valley.

THEREFORE, PLEASE TAKE NOTICE that, as the investigative law enforcement agency, CAL FIRE is asserting its authority to control that crime scene. Please do not attempt to tamper with or alter the area in any manner whatsoever or attempt to obstruct our investigation, including, but not limited to, seizing, replacing, or disposing of any poles, conductors, guys, insulators, or appurtenant equipment.

PLEASE TAKE FURTHER NOTICE that CAL FIRE field personnel have no authority to allow access to the crime scene, and, further, that any such prior permission to enter the crime scene is hereby revoked.

Inasmuch as a number of issues remain to be addressed in CAL FIRE's investigation of the above-referenced fire, CAL FIRE also requests that within 10 days of receipt of this letter that Southern California Edison and/or Edison International, as well as their officers, employees, contractors, agents and/or their assigns, produce the following information, items and documents which are relevant to the completion of said investigation:

1. A copy of the franchise agreement, permits, and business license granted Cox Cable from the City of San Diego and/or the County of San Diego.

2. Any and all witness statements that were taken by representatives of Cox Cable regarding to the Guejito Fire.
3. Any and all Cox Cable photos of the fire origin area, and any photos of the area prior to the fire.
4. Circuit map for the Cox Cable TV cable circuit adjacent to the point of origin.
5. The construction "Estimate" and "Work Order" for the construction of the Cox Cable TV cable circuit adjacent to the point of origin.
6. Any construction records regarding the Cox Cable TV cable circuit, poles, and equipment in the area adjacent to the point of origin, including any after the fire on October 20-21, 2007.
7. A copy, if any, of Cox Cable's equivalent of SCE's System Operating Bulletin #22 for 2003, 2004, 2005, 2006, and 2007.
8. Any and all records of Bulletin 22-type inspections on the Cox Cable TV cable circuit, poles, and equipment in the area adjacent to the point of origin, for 2004, 2005, 2006, and 2007.
9. The wind loading tables for the Cox Cable TV cable circuit in the area adjacent to the point of origin, for 2004, 2005, 2006, and 2007.
10. Cox Cable's definition of a "heavy loading area."
11. Cox Cable high wind area maps.
12. Cox Cable engineering policies, practices, and standards for all facilities and equipment in high wind areas.
13. Any and all Cox Cable records of post-audit inspections of the TV cable circuit, poles, and equipment in the area adjacent to the point of origin, for 2004, 2005, 2006, and 2007.

14. Inspection records for 2004, 2005, 2006, and 2007 for the aforementioned circuit.
15. Any maintenance records for 2004, 2005, 2006, and 2007 for the aforementioned circuit.
16. Any Troubleshooting Reports for the Cox Cable circuit, poles, and equipment in the area adjacent to the point of origin in 2004, 2005, 2006, and 2007.
17. Any and all line patrol records for the Cox Cable circuit adjacent to the point of origin, for 2004, 2005, 2006, and 2007.
18. Any and all records of any and all inspections on the Cox Cable circuit, poles, and equipment in the area adjacent to the point of origin, for 2004, 2005, 2006, and 2007.
19. Any and all grid/circuit reports for the Cox Cable circuit, poles, and equipment in the area adjacent to the point of origin, for 2004, 2005, 2006, and 2007.
20. The Cox Cable operation and maintenance policy and procedures manual in effect at the time of the fire.
21. Any and all Cox Cable documents relating to the cause of the fire.
22. Name the jurisdiction in which the Cox Cable circuit, poles, and equipment in the area adjacent to the point of origin of the respective fire are located.
23. Any and all Cox Cable-generated investigation reports for the cause of the subject fire.
24. Who inspected the area at and around the Cox Cable circuit, poles, and equipment in the area adjacent to the point of origin, for 2004, 2005, 2006, and 2007?

25. Any and all written reports by the Cox Cable troubleman in relation to the events surrounding the fire at the circuit, poles, and equipment in the area adjacent to the point of origin, for 2004, 2005, 2006, and 2007.
26. Any and all outage reports for the Cox Cable circuit in the area adjacent to the point of origin, for 2004, 2005, 2006, and 2007.
27. Any and all Cox Cable-generated metallurgy reports regarding the subject fire.
28. Any Cox Cable origin and cause investigation report for the subject fire.
29. Any and all records of measurements taken by Cox Cable or its contractors at the area of origin of the fire
30. Cox Cable business and performance reports for 2004, 2005, 2006, and 2007.
31. Any and all reports by Cox Cable to the CPUC regarding the subject fire.
32. Any and all press releases by Cox Cable regarding the subject fire.
33. Any and all e-mails, letters, or other communications by Cox Cable to the Governor of the State of California, including, but not limited to his staff, employees or agents; the Attorney General of the State of California, including but not limited to his staff, employees or agents; any member of the United States House of Representatives, including, but not limited to his/her staff, employees or agents; any member of the United States Senate, including, but not limited to his/her staff, employees or agents; any member of the California Legislature, including, but not limited to his/her staff, employees or agents; the San Diego County Board of Supervisors, the Mayor and City Council of the City of San Diego, including, but not limited to his/her staff, employees or agents; or any other elected official, regarding the subject fire.

34. Any and all communications between Cox Cable and the San Diego County fire agencies regarding the subject fire.
35. Cox Cable operations and maintenance policy and procedures manual.
36. Any Cox Cable accident prevention manuals dated November 1997 to present.
37. Any Cox Cable hazard reduction guide dated November 1997 to present.
38. Any and all Cox Cable fire reporting manuals.
39. Cox Cable Claims Department policy and guidelines for handling fire suppression cost claims and requests for information and documents relating to a fire incident for the circuit, poles, and equipment in the area adjacent to the point of origin, for 2004, 2005, 2006, and 2007.
40. Listing of any and all maintenance-related budget increases allowed by the CPUC during 2004, 2005, 2006, and 2007.
41. Any and all Cox Cable memos or reports during 2004, 2005, 2006, and 2007, regarding Cox Cable's grid, circuit, line, and pole maintenance obligations.
42. Any and all Cox Cable inspection reports for the circuit, poles, and equipment in the area adjacent to the point of origin of the Guejito Fire, during 2004, 2005, 2006, and 2007.
43. Any and all computer generated reports regarding Cox Cable grid, circuit, line, and pole maintenance report schedules and maintenance information for the circuit adjacent to the origin of the subject fire.
44. Cox Cable's 2006 maintenance report with supporting documents for the circuit, poles, and equipment in the area adjacent to the point of origin.

45. Daily record of events dated 10/19/07 – 10/31/07, for the Cox Cable circuit, poles, and equipment in the area adjacent to the point of origin.
46. Any and all reports/records of maintenance performed on the Cox Cable circuit, poles, or equipment in the area adjacent to the point of origin, during 2004, 2005, 2006, and 2007.
47. Any and all reports/records from 10/19/07 through 10/31/07 that may reasonably indicate faults on the Cox Cable circuit, poles, and equipment in the area adjacent to the point of origin.
48. Any and all Cox Cable right-of-way/easements, and agreements, current or expired, within one-half mile radius of the circuit, poles, and equipment in the area adjacent to the point of origin.
49. Any and all records of post-audit inspections of the Cox Cable circuit, poles, and equipment in the area adjacent to the point of origin, for 2004, 2005, 2006, and 2007.
50. Any and all Cox Cable inspectors' reports with any follow-up reports identifying any unsatisfactory maintenance issues, or improper construction or engineering techniques for the aforementioned Cox Cable circuit in the area adjacent to the point of origin during 2004, 2005, 2006, and 2007.
51. Any and all Cox Cable inspectors' reports with any follow-up reports identifying any unsatisfactory maintenance issues, or improper construction or engineering techniques for the SDG&E/SEMPRA circuit in the area adjacent to the point of origin during 2004, 2005, 2006, and 2007.
52. Any and all SDG&E/SEMPRA inspectors' reports with any follow-up reports identifying any unsatisfactory maintenance issues, or improper construction or engineering techniques for

the aforementioned Cox Cable circuit in the area adjacent to the point of origin during 2004, 2005, 2006, and 2007.

53. Any and all Cox Cable line inspector referrals to maintenance employees, contractors, or agents for necessary maintenance, construction or engineering corrections on the aforementioned Cox Cable circuit in the area adjacent to the point of origin, for 2004, 2005, 2006, and 2007.
54. Any and all Cox Cable line inspector referrals to maintenance employees, contractors, or agents for necessary maintenance, construction or engineering corrections on the SDG&E/SEMPRA circuit in the area adjacent to the point of origin, for 2004, 2005, 2006, and 2007.
55. Any and all SDG&E/SEMPRA line inspector referrals to Cox Cable maintenance employees, contractors, or agents for necessary maintenance, construction or engineering corrections on the aforementioned Cox Cable circuit in the area adjacent to the point of origin, for 2004, 2005, 2006, and 2007.
56. Any and all evidence that is exculpatory.

CAL FIRE greatly appreciates your anticipated assistance and cooperation in providing the foregoing information, items and documents. If there is a problem in providing particular information, items or documents within 10 days of receipt of this letter, CAL FIRE is prepared to be flexible provided that you contact me immediately and establish an acceptable schedule for providing the aforementioned information, items and documents. Any information or materials provided in response to this communication will remain within the context of the investigation unless otherwise required by law.

Please deliver the following requested information, items and documents, together with Southern California Edison's bill for the reasonable cost of reproduction of such documents, to:

Pete J. Marquez, Deputy Chief  
CAL FIRE  
Southern Region Fire Prevention/Law Enforcement  
1234 E. Shaw Ave. Fresno CA 93710

Office: (559) 243-4117  
Cell: (559)779-8692  
Fax :(559)222-3409

If you have any comments or inquiries, please do not hesitate to contact me at your earliest convenience.

Most cordially,

PETE J. MARQUEZ  
Southern Region Fire Prevention/Law Enforcement  
California Department of Forestry  
and Fire Protection

cc: D. Hillman  
T. Hoffman  
G. Chandler, Esq.  
R. Harrington, Esq.  
B. Darrington

bcc: T. Cronin



A3



A4



A5



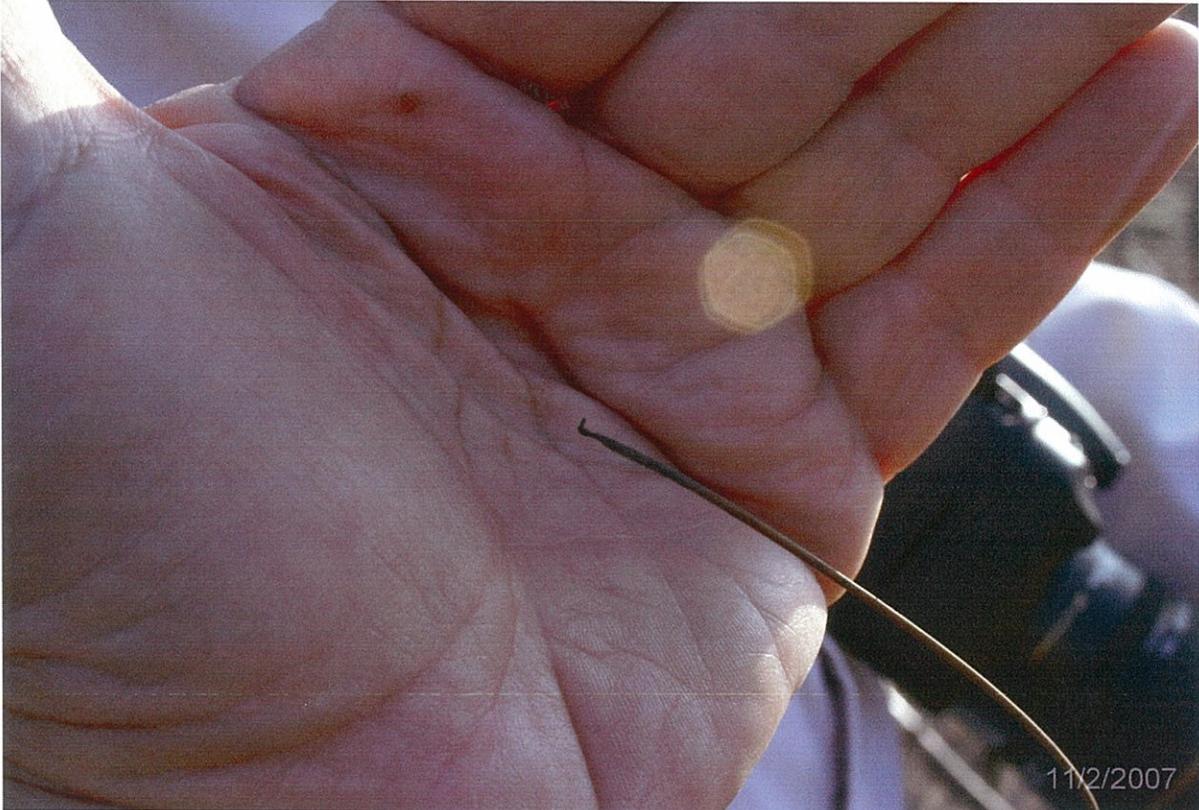
A6



A7



A8



A9



A10



A11



A12



11/2/2007

A13



11/2/2007

A14



A15



A16



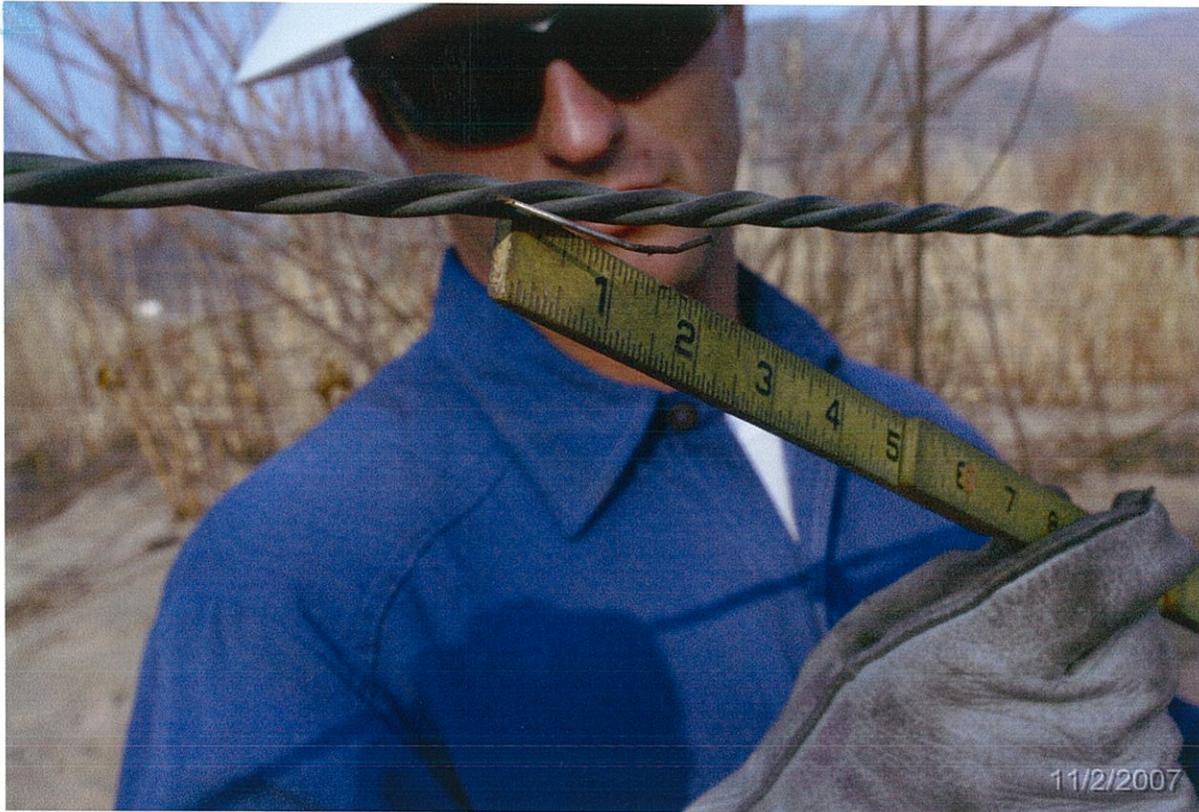
A17



A18



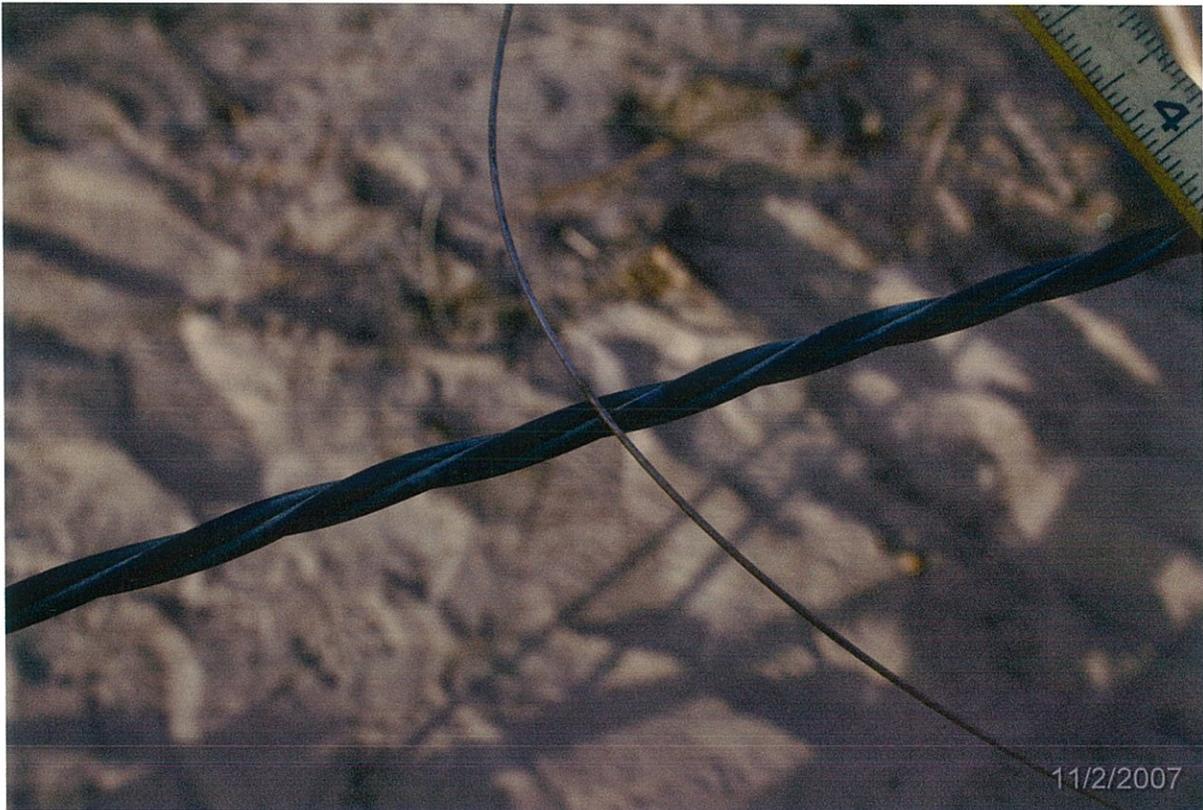
A19



A20



A21



A22



A23



A24



A25



A26



A27



A28



**A29**

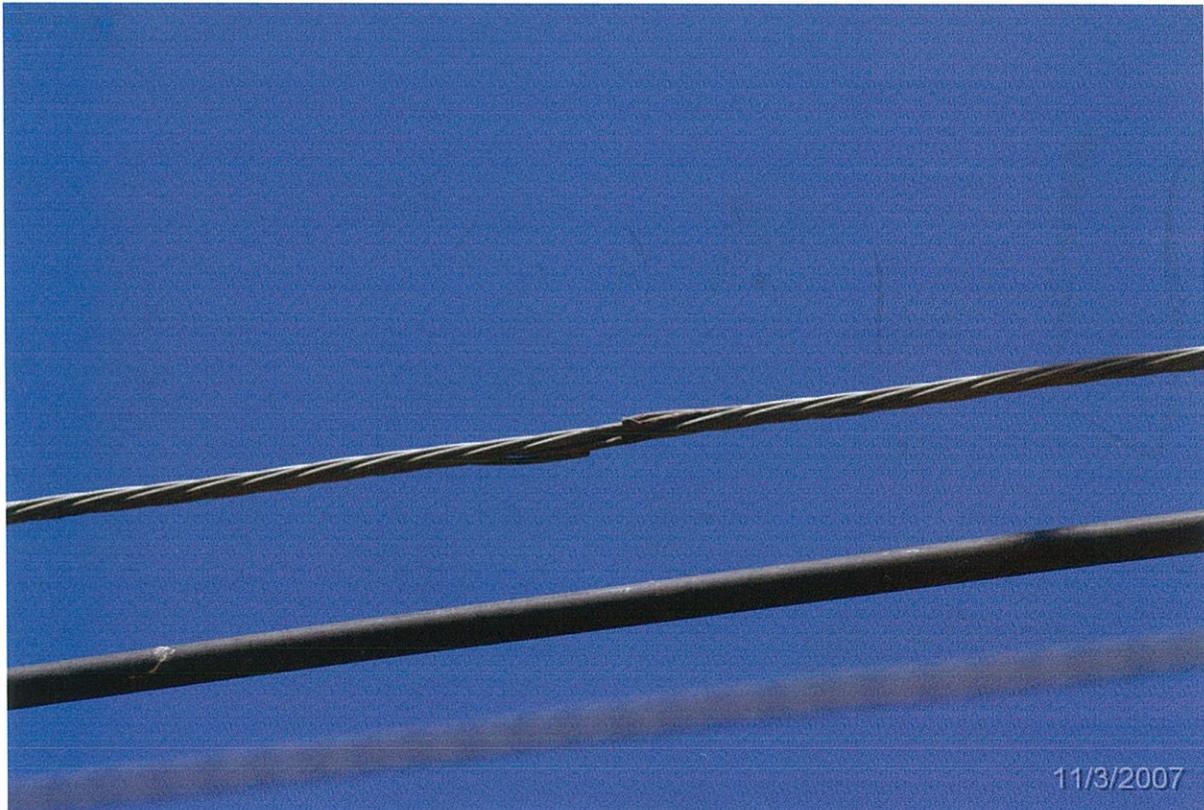


**A30**



11/3/2007

**B1**



11/3/2007

**B2**



11/3/2007

83

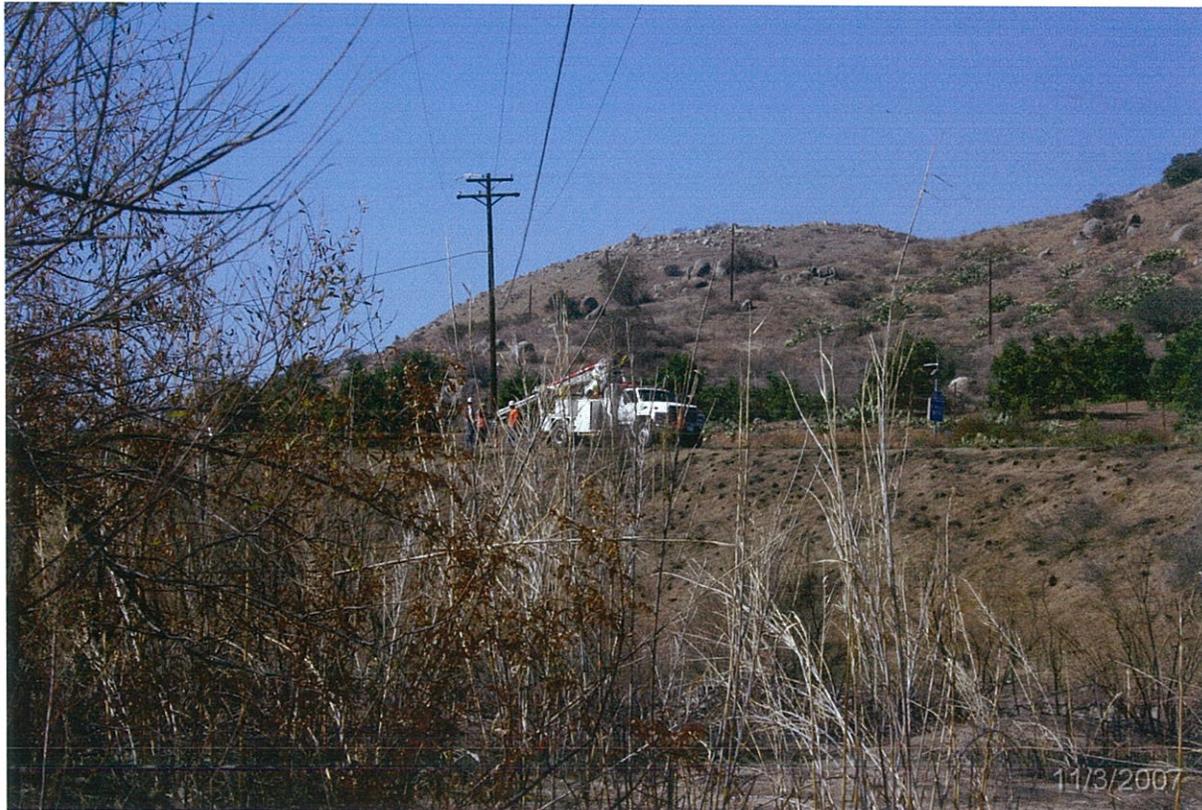


11/3/2007

84



B5



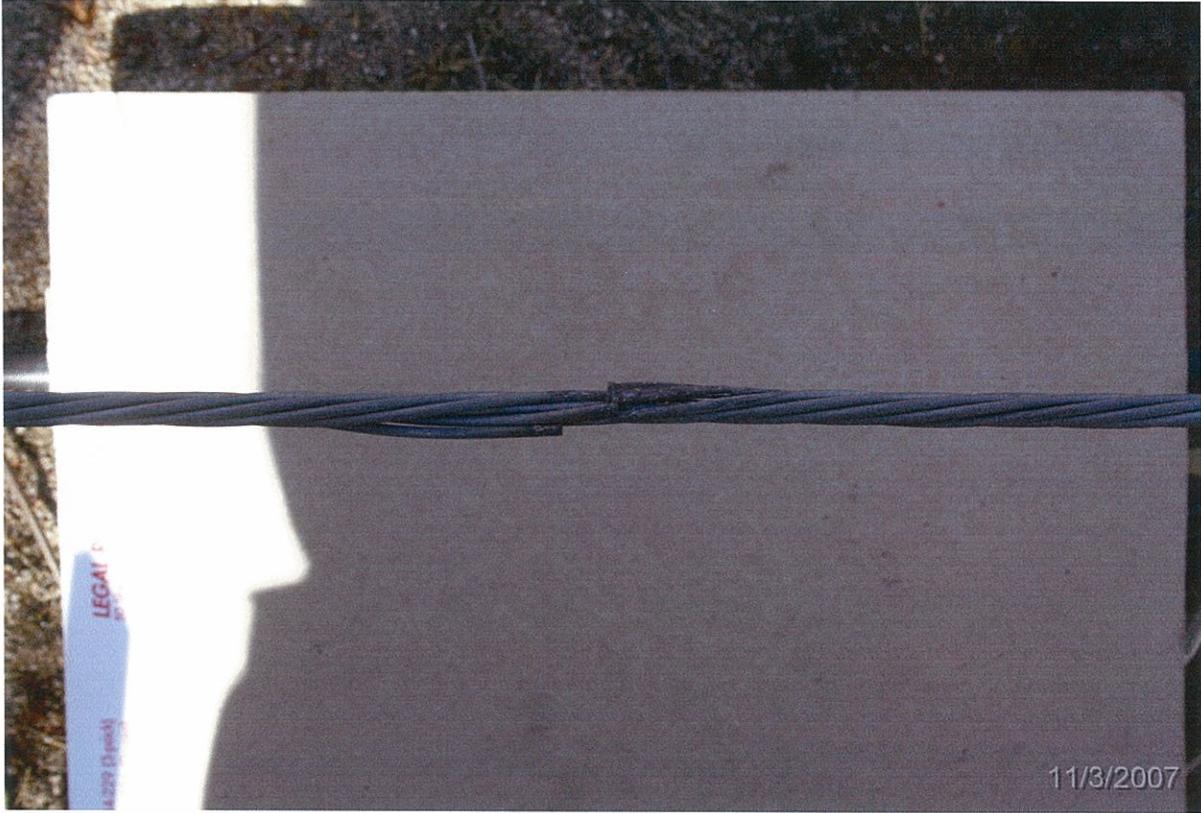
B6



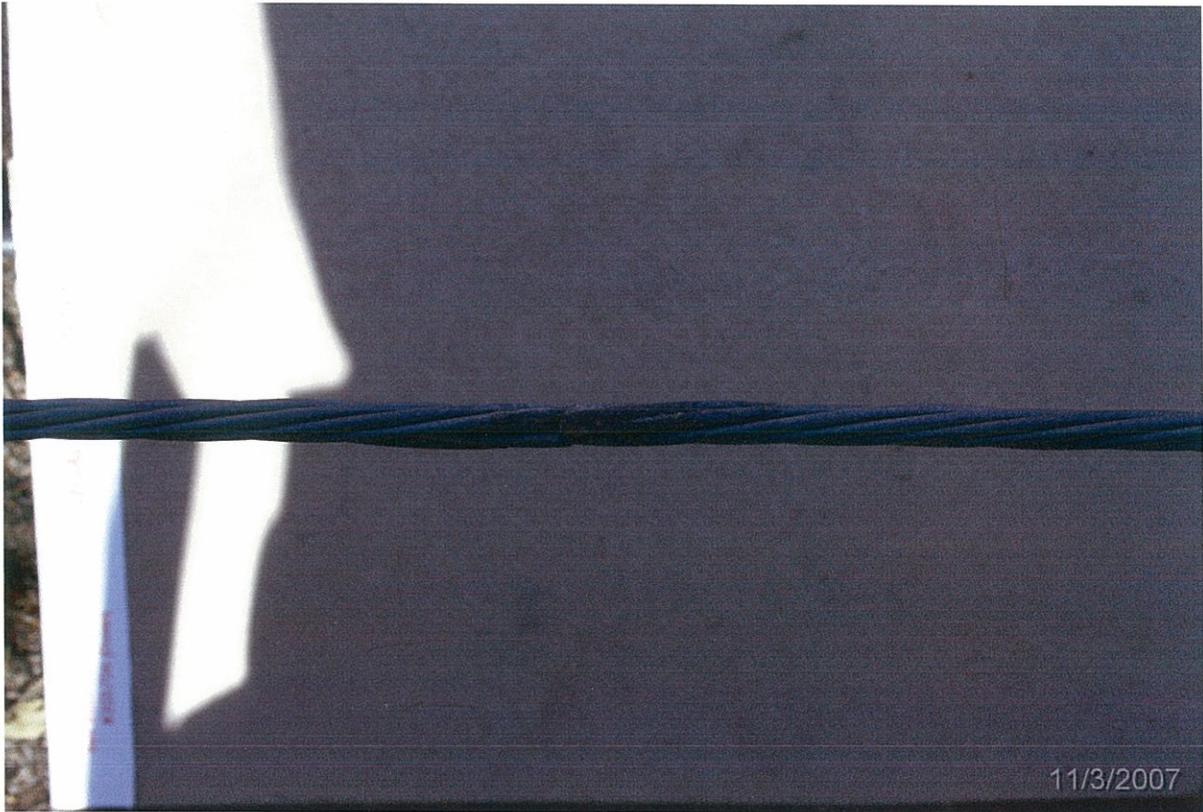
B7



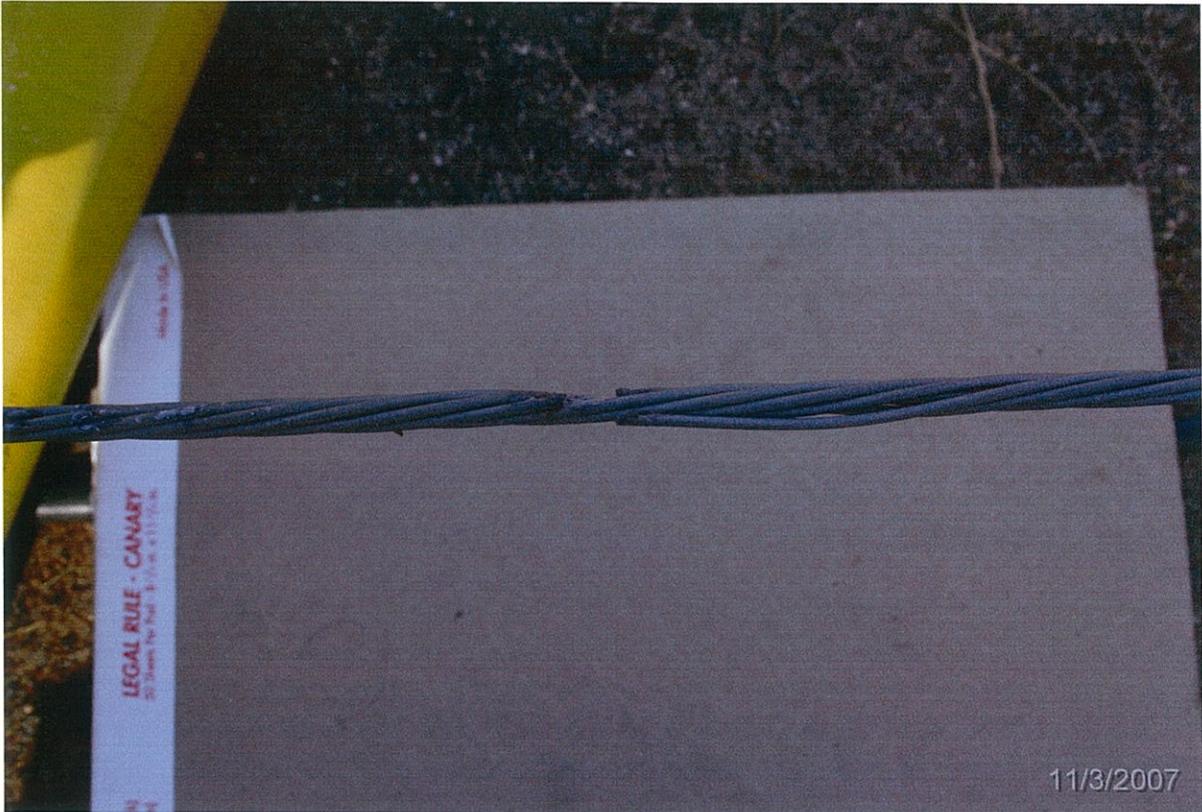
B8



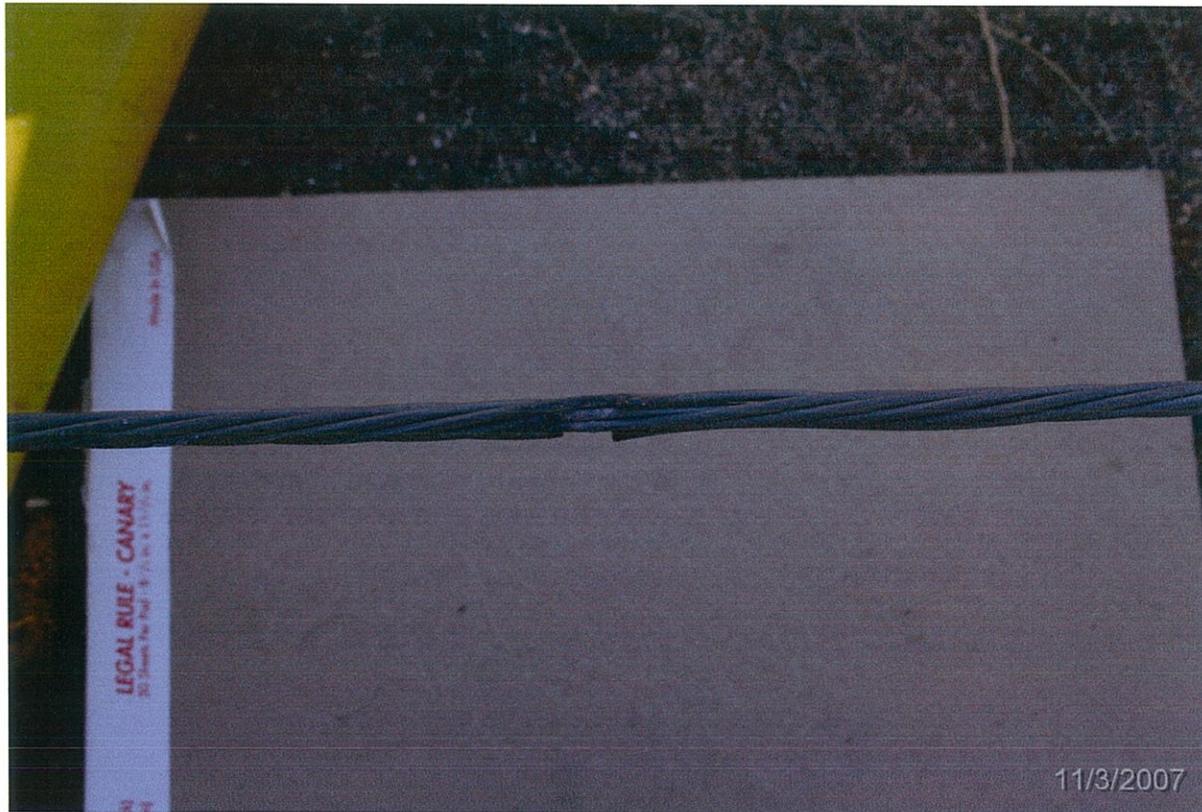
B9



B10



B11



B12



B13



B14



B15



B16



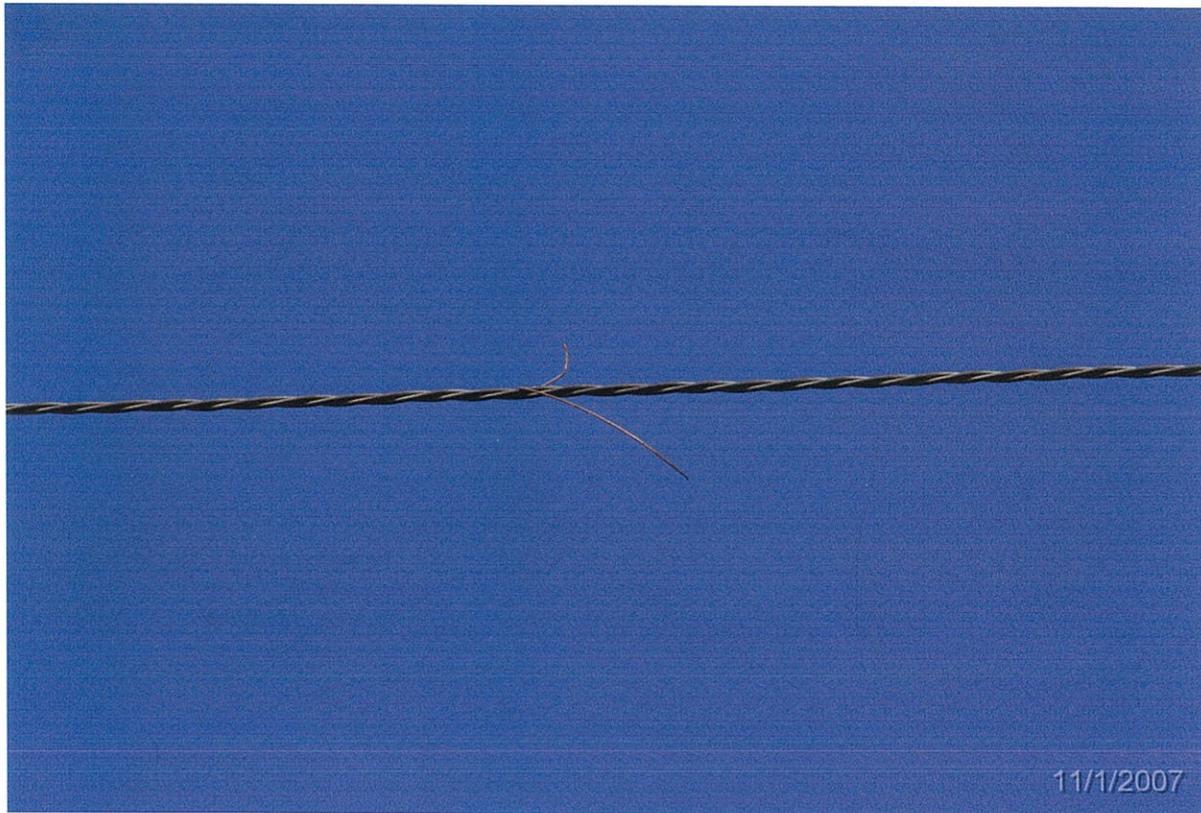
B17



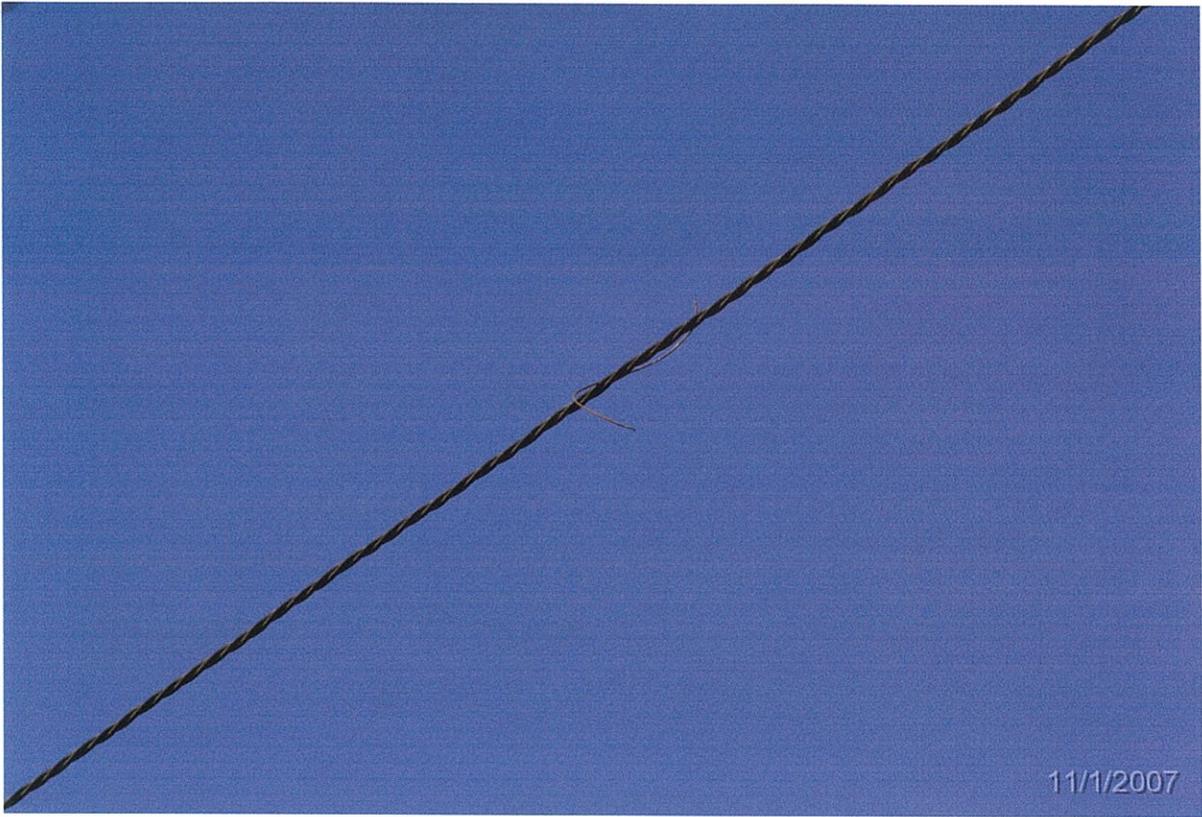
B18



A



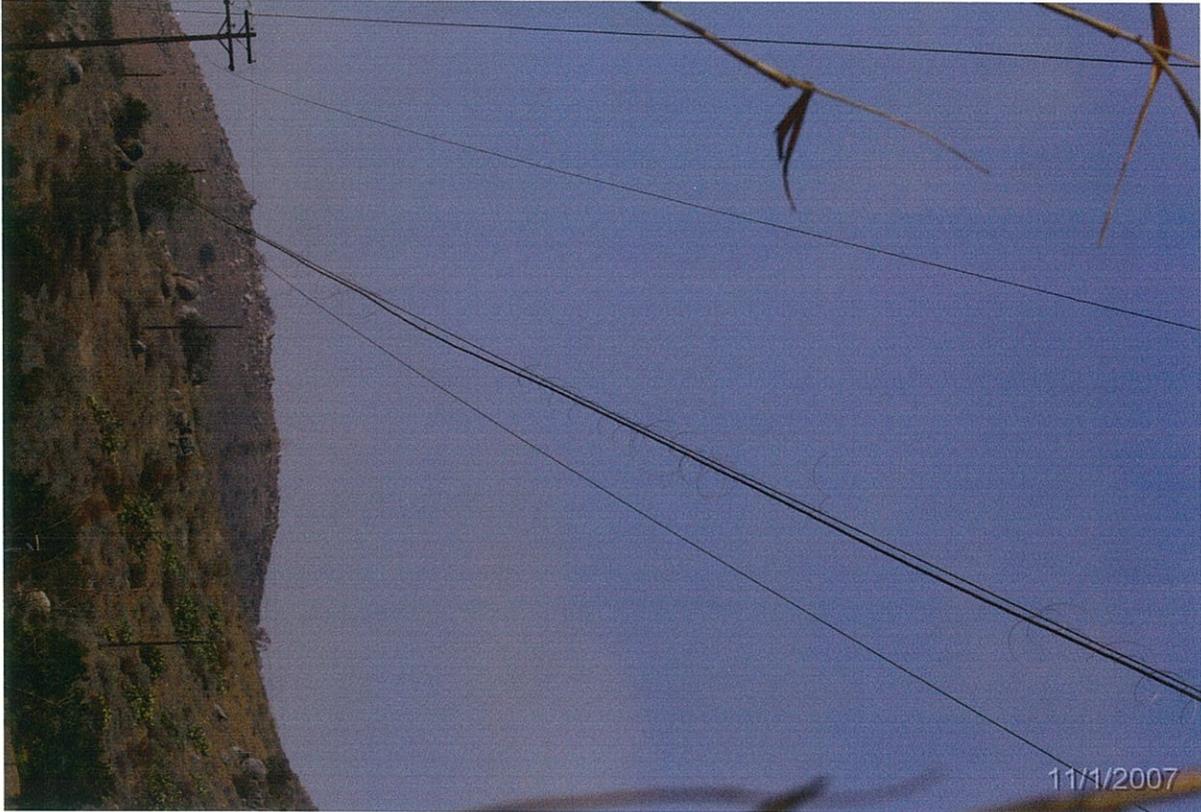
B



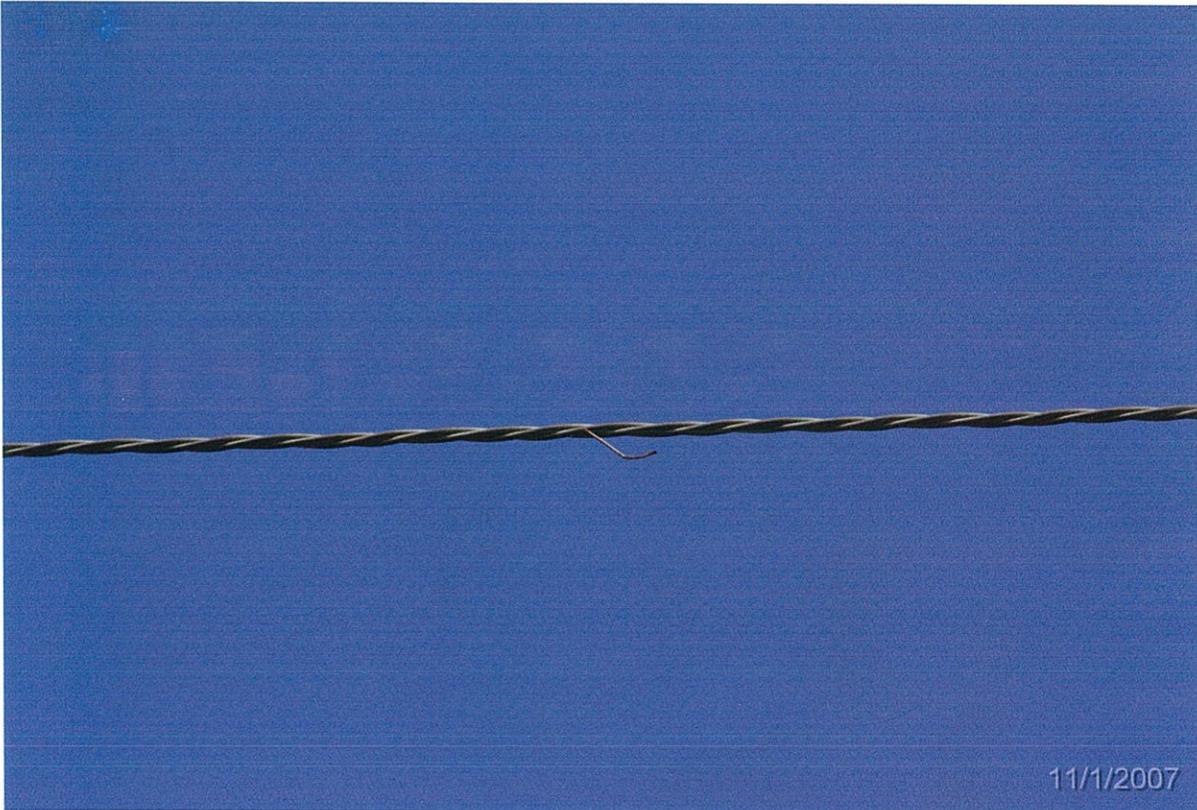
C



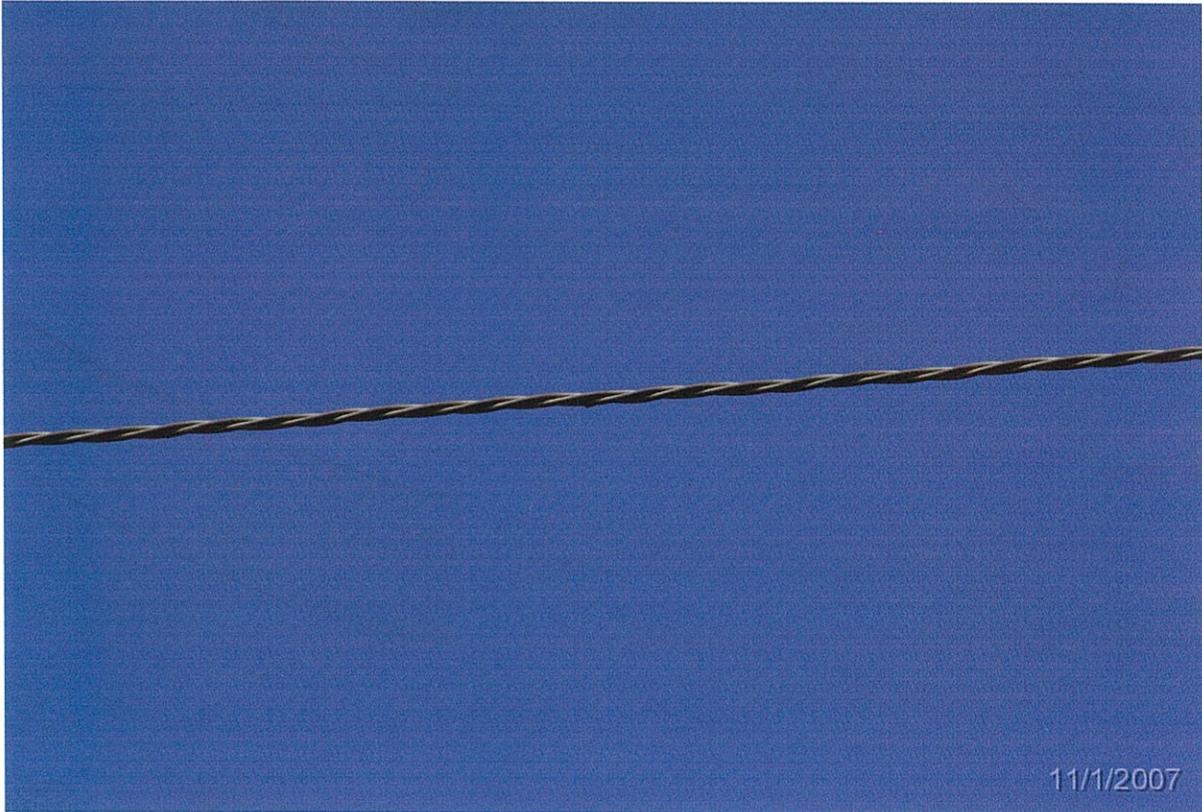
D



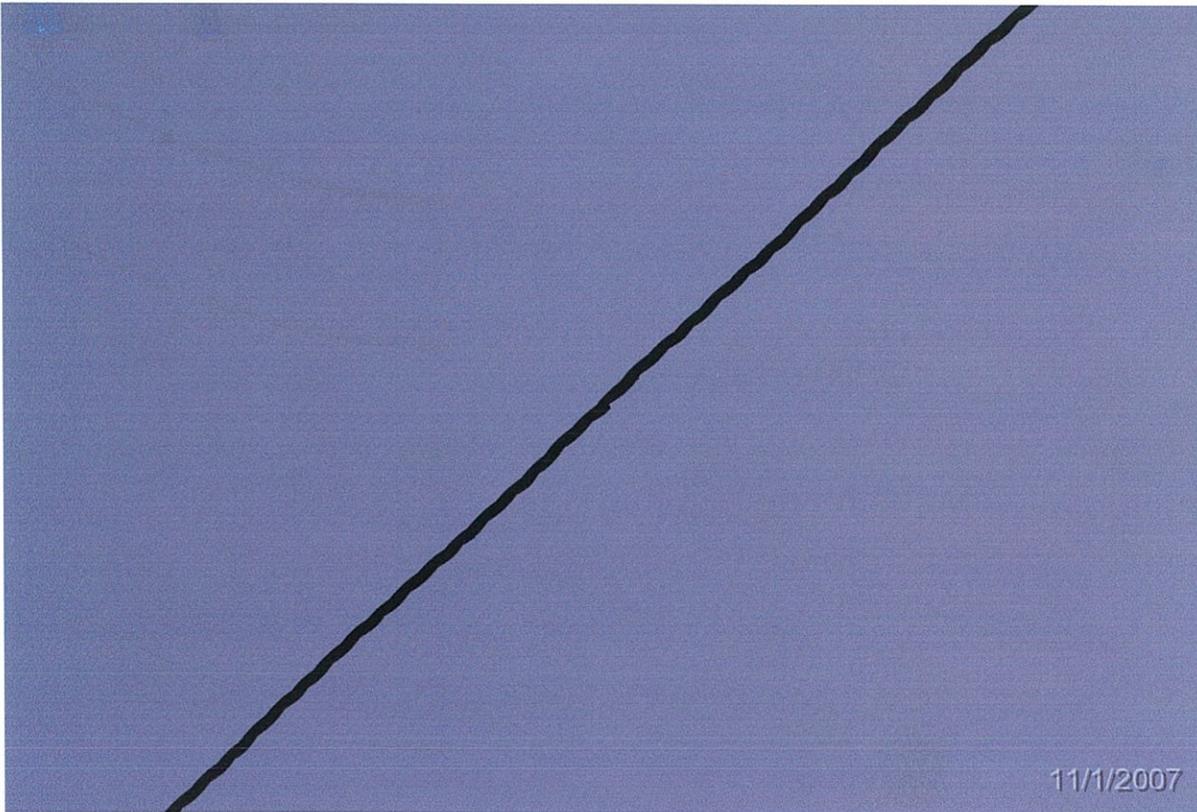
E



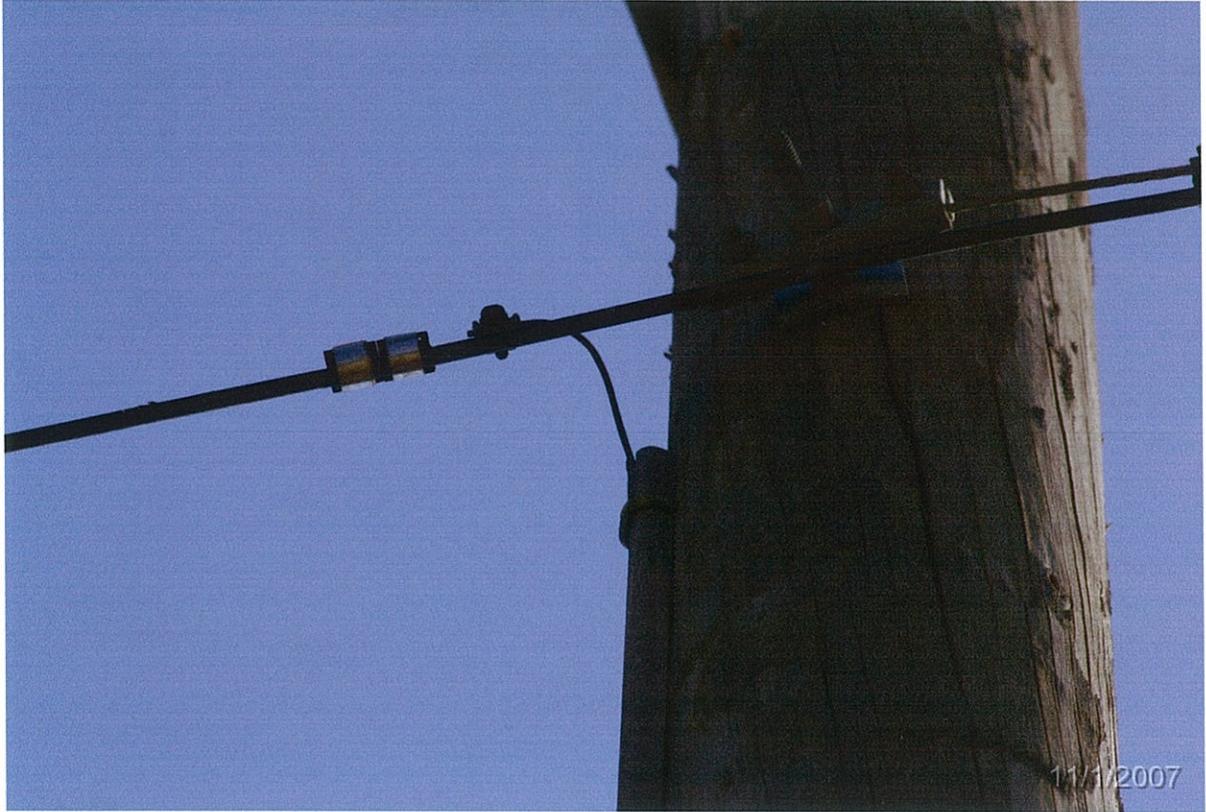
F



G



H



K



L



M



N



0



P



Q



R



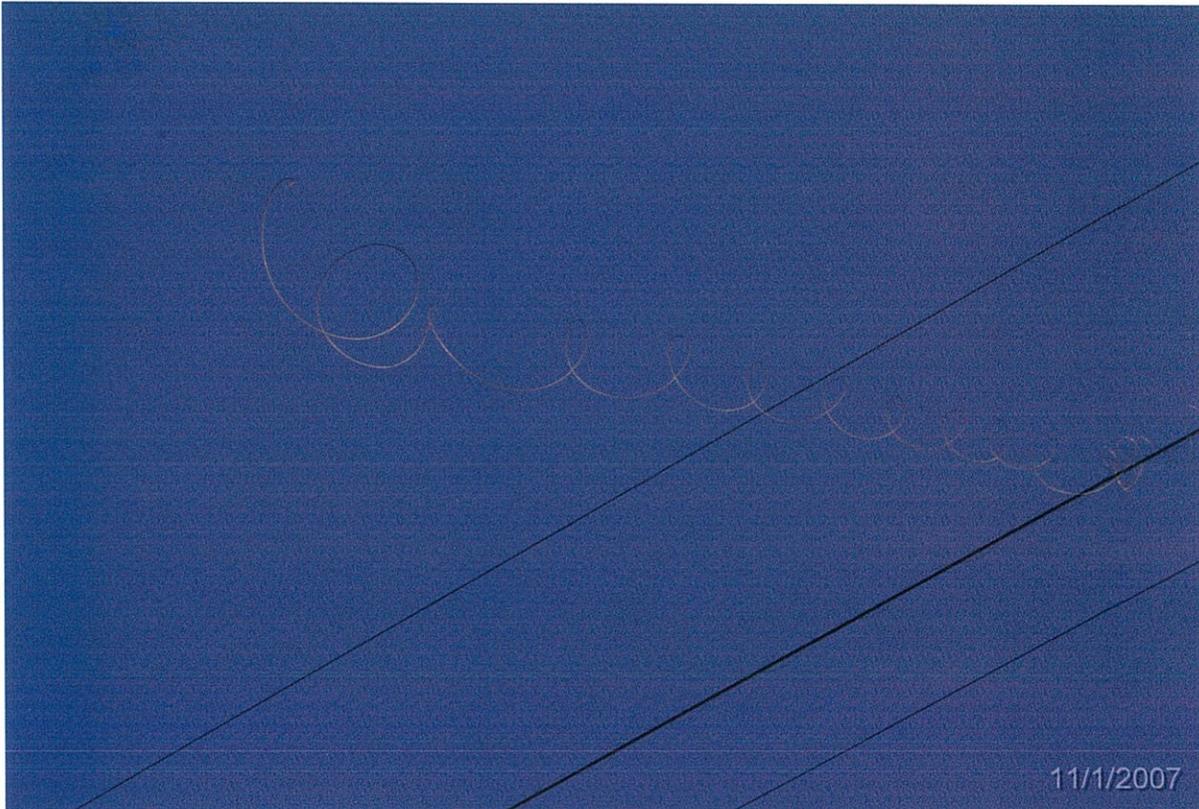
S



T



W



X



Y



Z

6:00 a.m.

The strike team of engines departed from our house. It appeared that part of the Witch fire was still making its way down from Clevenger canyon – east of our property.

7:30 a.m.

We could hear the Witch fire coming from the east. The wind picked up to about 70 mph, embers and debris was blowing in every direction.

7:45 a.m.

The Witch fire came full force down the Santa Ysabel creek. It leaped over the highway 78 bridge (just east of our property) and continued down the riverbed toward the west. The fire was also coming from the cemetery across the highway (east of our property).

8:15 a.m.

The main front of the fire had passed us, and continued to the west. The store across the highway (north of our property) was fully engulfed. My uncle's house just west of our house was fully engulfed. We continued to put out spot fires.



Tyson Short – landowner  
17331 San Pasqual Valley Road  
Escondido, CA 92027

October 21 & 22<sup>nd</sup> 2007

On Sunday, October 21<sup>st</sup> 2007 I was at my home on 17331 San Pasqual Valley Rd. I was with my daughter, my mother-in-law, and my husband. The Witch fire that started earlier that afternoon was visible to the east once it grew dark. The smoke that had stayed to the south of us all day was now blowing in our direction. Around 9:30 p.m. my husband started to prepare the outside of the house just in case the fire made it to us. I stayed inside with my daughter and mother-in-law.

About 1:05 a.m. on Monday the 22<sup>nd</sup> my husband came inside to wake me, and tell me that the Guejito creek east of our property was on fire. I looked out the window, and saw the fire well established, and running in a southwest direction. I began to pack a bag, and prepare to leave.

At 2:30a.m. I departed from our home, daughter & mother-in-law in tow. We attempted to go west on Highway 78, but were turned around by fire crews. We then headed east on 78, past our house. That's when I saw the Witch fire to the east cresting on the hills above the San Pasqual Academy, starting to descend down the hills. I turned and headed west on Bandy Canyon Rd.

At 2:45 a.m. we were driving approximately 1 mile east of Fenton Ranch (Bandy Canyon) still on Bandy Canyon Rd. At that time I could see that the fire that started in the Guejito Creek had made it's way into the Santa Ysabel Creek, and traveled west to the point where it was parallel to my location on Bandy Canyon Rd. The fire continued west down the creek, and was breaching the riverbed in a southwest direction through a field, toward Bandy Canyon Rd. in the Highland Valley direction. We crested the top of Bandy Canyon near the intersection of Highland Valley Rd. knowing it would only be a matter of minutes before the fire would travel up the hill in our direction. Smoke and embers were cast ahead of the fire.

At 3:10 a.m. I arrived at my parent's home at 20891 Viento Valle. From there I could see that the fire in the Santa Ysabel Creek had reached the top of Highland Valley, and crossed over Bandy Canyon Rd. like I thought it would. The same fire also continued west down the Santa Ysabel riverbed, heading toward Lake Hodges.



Lynnette Short  
Homeowner  
17331 San Pasqual Valley Rd.

January 8, 2008

**VIA TELEPHONIC FACSIMILE and CERTIFIED MAIL**

Dean Le Brecht  
Claims Department  
San Diego Gas & Electric  
9965 Carroll Canyon Rd., SD1386  
San Diego, CA. 92131-1105

**Re: Guejito Fire  
CDF Case: CA-MVU-010484**

Dear Mr. Le Brecht,

The California Department of Forestry and Fire Protection (CAL FIRE) is mandated to investigate all wildland fire incidents to determine both potential criminal liability, if any, as well as any civil liability for potential reimbursement of the cost of wildland fire suppression in the above-referenced fire. CAL FIRE is the law enforcement authority that is investigating the above-referenced fire, and considers the area of the origin of the above-referenced wildland fire to be a potential crime scene containing tangible, relevant evidence. The area of origin of that wildland fire has preliminarily been determined to be in Guejito Creek, south of the Hwy 78 in San Pasqual Valley.

THEREFORE, PLEASE TAKE NOTICE that, as the investigative law enforcement agency, CAL FIRE is asserting its authority to control that crime scene. Please do not attempt to tamper with or alter the area in any manner whatsoever or attempt to obstruct our investigation, including, but not limited to, seizing, replacing, or disposing of any poles, conductors, guys, insulators, or appurtenant equipment.

PLEASE TAKE FURTHER NOTICE that CAL FIRE field personnel have no authority to allow access to the crime scene, and, further, that any such prior permission to enter the crime scene is hereby revoked.

Inasmuch as a number of issues remain to be addressed in CAL FIRE's investigation of the above-referenced fire, CAL FIRE also requests that within 10 days of receipt of this letter that Southern California Edison and/or Edison International, as well as their officers, employees, contractors, agents and/or their assigns, produce the following information, items and documents which are relevant to the completion of said investigation:

1. Any and all witness statements that were taken by representatives of SDG&E/SEMPRA regarding to the Rice Fire.
2. Any and all SDG&E/SEMPRA photos of the fire origin area, and any photos of the area prior to the fire.
3. Any and all aerial photos of the fire scene during 2004, 2005, 2006, and 2007.
4. Any and all fire scene photos, which were taken at or near the area of origin.
5. Circuit map for the circuit adjacent to the point of origin.
6. The construction "Estimate" and "Work Order" for the construction of the circuit and pole the area adjacent to the point of origin.
7. Any construction records regarding the circuit, poles, and equipment in the area adjacent to the point of origin, including any after the fire on October 22, 2007.
8. A copy of SDG&E/SEMPRA's equivalent of SCE's System Operating Bulletin #22 for 2003, 2004, 2005, 2006, and 2007.
9. An admission by SDG&E/SEMPRA that the point of origin was a Bulletin 22-type area?
10. Any and all records of Bulletin 22-type inspections on the circuit, poles, and equipment in the area adjacent to the point of origin, for 2004, 2005, 2006, and 2007.
11. The wind loading tables for the circuit in the area adjacent to the point of origin, for 2004, 2005, 2006, and 2007.
12. The utility's definition of a "heavy loading area."

13. SDG&E/SEMPRA high wind area maps.
14. SDG&E/SEMPRA engineering policies, practices, and standards for all facilities and equipment in high wind areas.
15. An admission by SDG&E/SEMPRA that the pole was located in an area governed by the California Public Resources Code.
16. Any and all records of post-audit inspections of the circuit, poles, and equipment in the area adjacent to the point of origin, for 2004, 2005, 2006, and 2007.
17. Inspection records for 2004, 2005, 2006, and 2007 for the aforementioned circuit.
18. Any maintenance records for 2004, 2005, 2006, and 2007 for the aforementioned circuit.
19. Any and all records of any and all inspections on the circuit, poles, and equipment in the area adjacent to the point of origin, for 2004, 2005, 2006, and 2007.
20. Any and all grid/circuit reports for the circuit, poles, and equipment in the area adjacent to the point of origin, for 2004, 2005, 2006, and 2007.
21. The operation and maintenance policy and procedures manual in effect at the time of the fire.
22. Any and all SDG&E/SEMPRA documents relating to the cause of the fire.
23. Name the jurisdiction in which the circuit, poles, and equipment in the area adjacent to the point of origin of the respective fire are located.

24. Any and all SDG&E/SEMPRA-generated investigation reports for the cause of the subject fire.
25. Who inspected the area at and around the circuit, poles, and equipment in the area adjacent to the point of origin, for 2004, 2005, 2006, and 2007?
26. Any and all written reports by the troubleman in relation to the events surrounding the fire at the circuit, poles, and equipment in the area adjacent to the point of origin, for 2004, 2005, 2006, and 2007.
27. Any and all outage reports for the circuit in the area adjacent to the point of origin, for 2004, 2005, 2006, and 2007.
28. The location and number of any Automatic Recloser (AR), if any, on the circuit for the distribution line which caused the fire
29. Any and all "Automatic Recloser" ("AR") records for the circuit in the area adjacent to the point of origin, for 2004, 2005, 2006, and 2007.
30. The Ground and Phase settings for the aforementioned AR.
31. The location and number of any Source Side Device on the distribution line which caused the fire.
32. The location and number or name of the Circuit Breaker that controlled the distribution line which caused the fire.
33. The Ground and Phase setting for the aforementioned Circuit Breaker.
34. Any and all SDG&E/SEMPRA-generated metallurgy reports regarding the subject fire.

35. Any SDG&E/SEMPRA origin and cause investigation report for the subject fire.
36. Any and all records of measurements taken by SDG&E/SEMPRA or its contractors at the area of origin of the fire
37. SDG&E/SEMPRA business and performance reports for 2004, 2005, 2006, and 2007.
38. Any and all SDG&E/SEMPRA reports to shareholders regarding profit/loss due to payment of fire suppression costs, during 2004, 2005, 2006, and 2007.
39. Any and all reports by SDG&E/SEMPRA to the CPUC regarding the subject fire.
40. Any and all press releases by SDG&E/SEMPRA regarding the subject fire.
41. Any and all e-mails, letters, or other communications by SDG&E/SEMPRA to the Governor of the State of California, including, but not limited to his staff, employees or agents; the Attorney General of the State of California, including but not limited to his staff, employees or agents; any member of the United States House of Representatives, including, but not limited to his/her staff, employees or agents; any member of the United States Senate, including, but not limited to his/her staff, employees or agents; any member of the California Legislature, including, but not limited to his/her staff, employees or agents; the San Diego County Board of Supervisors, the Mayor and City Council of the City of San Diego, including, but not limited to his/her staff, employees or agents; or any other elected official, regarding the subject fire.
42. Any and all communications between SDG&E/SEMPRA and the San Diego County fire agencies regarding the subject fire.
43. SDG&E/SEMPRA operations and maintenance policy and procedures manual.
44. Any SDG&E/SEMPRA accident prevention manuals dated November 1997 to present.

45. Any and all SDG&E/SEMPRA fire reporting manuals.
46. SDG&E/SEMPRA Claims Department policy and guidelines for handling fire suppression cost claims and requests for information and documents relating to a fire incident for the circuit, poles, and equipment in the area adjacent to the point of origin, for 2004, 2005, 2006, and 2007.
47. Listing of any and all maintenance-related budget increases allowed by the CPUC during 2004, 2005, 2006, and 2007.
48. Any and all SDG&E/SEMPRA memos or reports during 2004, 2005, 2006, and 2007, regarding SDG&E/SEMPRA's grid, circuit, line, and pole maintenance obligations.
49. Any and all SDG&E/SEMPRA inspection reports for the circuit, poles, and equipment in the area adjacent to the point of origin, during 2004, 2005, 2006, and 2007.
50. Any and all computer generated reports regarding grid, circuit, line, and pole maintenance report schedules and maintenance information for the circuit adjacent to the origin of the subject fire.
51. 2006 maintenance report with supporting documents for the circuit, poles, and equipment in the area adjacent to the point of origin.
52. Daily record of events dated 10/19/07 – 10/31/07, for the circuit, poles, and equipment in the area adjacent to the point of origin.
53. Any and all reports/records of maintenance performed on the circuit, poles, or equipment in the area adjacent to the point of origin, during 2004, 2005, 2006, and 2007.

54. Any and all reports/records from 10/19/07 through 10/31/07 that may reasonably indicate faults on the circuit, poles, and equipment in the area adjacent to the point of origin.
55. Any and all right-of-way/easements, and agreements, current or expired, within one-half mile radius of the circuit, poles, and equipment in the area adjacent to the point of origin.
56. Any and all records of post-audit inspections of the circuit, poles, and equipment in the area adjacent to the point of origin, for 2004, 2005, 2006, and 2007.
57. Any and all SDG&E/SEMPRA inspectors' reports with any follow-up reports identifying any unsatisfactory maintenance issues, or improper construction or engineering techniques for the aforementioned SDG&E/SEMPRA circuit in the area adjacent to the point of origin during 2004, 2005, 2006, and 2007.
58. Any and all Cox Cable inspectors' reports with any follow-up reports identifying any unsatisfactory maintenance issues, or improper construction or engineering techniques for the aforementioned SDG&E/SEMPRA circuit in the area adjacent to the point of origin during 2004, 2005, 2006, and 2007.
59. Any and all SDG&E/SEMPRA inspectors' reports with any follow-up reports identifying any unsatisfactory maintenance issues, or improper construction or engineering techniques for the aforementioned Cox Cable TV cable circuit in the area adjacent to the point of origin during 2004, 2005, 2006, and 2007.
60. Any and all SDG&E/SEMPRA line inspector referrals to SDG&E/SEMPRA maintenance employees, contractors, or agents for necessary maintenance, construction or engineering corrections on the aforementioned SDG&E/SEMPRA circuit in the area adjacent to the point of origin, for 2004, 2005, 2006, and 2007.
61. Any and all Cox Cable line inspector referrals to SDG&E/SEMPRA maintenance employees, contractors, or agents for necessary maintenance, construction or engineering corrections

on the aforementioned SDG&E/SEMPRA circuit in the area adjacent to the point of origin, for 2004, 2005, 2006, and 2007.

62. Any and all evidence that is exculpatory.

CAL FIRE greatly appreciates your anticipated assistance and cooperation in providing the foregoing information, items and documents. If there is a problem in providing particular information, items or documents within 10 days of receipt of this letter, CAL FIRE is prepared to be flexible provided that you contact me immediately and establish an acceptable schedule for providing the aforementioned information, items and documents. Any information or materials provided in response to this communication will remain within the context of the investigation unless otherwise required by law.

Please deliver the following requested information, items and documents, together with Southern California Edison's bill for the reasonable cost of reproduction of such documents, to:

Pete J. Marquez, Deputy Chief  
CAL FIRE  
Southern Region Fire Prevention/Law Enforcement  
1234 E. Shaw Ave. Fresno CA 93710  
Office: (559) 243-4117  
Cell: (559)779-8692  
Fax : (559)222-3409

If you have any comments or inquiries, please do not hesitate to contact me at your earliest convenience.

Most cordially,

PETE J. MARQUEZ  
Southern Region Fire Prevention/Law Enforcement  
California Department of Forestry  
and Fire Protection

cc: D. Hillman  
T. Hoffman  
G. Chandler, Esq.  
R. Harrington, Esq.  
B. Darrington  
bcc: T. Cronin

January 18, 2007

**VIA TELEPHONIC FACSIMILE and CERTIFIED MAIL**

Don Stryzko  
Senior Director of Risk Management  
Cox Enterprises, Inc.  
6205 Peachtree Dunwoody Rd.  
Atlanta, Georgia. 30328

**Re: Guejito Fire**  
**CDF Case: CA-MVU-010484**

Dear Mr. Stryzko,

The California Department of Forestry and Fire Protection (CAL FIRE) is mandated to investigate all wildland fire incidents to determine both potential criminal liability, if any, as well as any civil liability for potential reimbursement of the cost of wildland fire suppression in the above-referenced fire. CAL FIRE is the law enforcement authority that is investigating the above-referenced fire, and considers the area of the origin of the above-referenced wildland fire to be a potential crime scene containing tangible, relevant evidence. The area of origin of that wildland fire has preliminarily been determined to be in Guejito Creek, south of the Hwy 78 in San Pasqual Valley.

THEREFORE, PLEASE TAKE NOTICE that, as the investigative law enforcement agency, CAL FIRE is asserting its authority to control that crime scene. Please do not attempt to tamper with or alter the area in any manner whatsoever or attempt to obstruct our investigation, including, but not limited to, seizing, replacing, or disposing of any poles, conductors, guys, insulators, or appurtenant equipment.

PLEASE TAKE FURTHER NOTICE that CAL FIRE field personnel have no authority to allow access to the crime scene, and, further, that any such prior permission to enter the crime scene is hereby revoked.

Inasmuch as a number of issues remain to be addressed in CAL FIRE's investigation of the above-referenced fire, CAL FIRE also requests that within 10 days of receipt of this letter that Southern California Edison and/or Edison International, as well as their officers, employees, contractors, agents and/or their assigns, produce the following information, items and documents which are relevant to the completion of said investigation:

1. A copy of the franchise agreement, permits, and business license granted Cox Cable from the City of San Diego and/or the County of San Diego.

2. Any and all witness statements that were taken by representatives of Cox Cable regarding to the Guejito Fire.
3. Any and all Cox Cable photos of the fire origin area, and any photos of the area prior to the fire.
4. Circuit map for the Cox Cable TV cable circuit adjacent to the point of origin.
5. The construction "Estimate" and "Work Order" for the construction of the Cox Cable TV cable circuit adjacent to the point of origin.
6. Any construction records regarding the Cox Cable TV cable circuit, poles, and equipment in the area adjacent to the point of origin, including any after the fire on October 20-21, 2007.
7. A copy, if any, of Cox Cable's equivalent of SCE's System Operating Bulletin #22 for 2003, 2004, 2005, 2006, and 2007.
8. Any and all records of Bulletin 22-type inspections on the Cox Cable TV cable circuit, poles, and equipment in the area adjacent to the point of origin, for 2004, 2005, 2006, and 2007.
9. The wind loading tables for the Cox Cable TV cable circuit in the area adjacent to the point of origin, for 2004, 2005, 2006, and 2007.
10. Cox Cable's definition of a "heavy loading area."
11. Cox Cable high wind area maps.
12. Cox Cable engineering policies, practices, and standards for all facilities and equipment in high wind areas.
13. Any and all Cox Cable records of post-audit inspections of the TV cable circuit, poles, and equipment in the area adjacent to the point of origin, for 2004, 2005, 2006, and 2007.

14. Inspection records for 2004, 2005, 2006, and 2007 for the aforementioned circuit.
15. Any maintenance records for 2004, 2005, 2006, and 2007 for the aforementioned circuit.
16. Any Troubleshooting Reports for the Cox Cable circuit, poles, and equipment in the area adjacent to the point of origin in 2004, 2005, 2006, and 2007.
17. Any and all line patrol records for the Cox Cable circuit adjacent to the point of origin, for 2004, 2005, 2006, and 2007.
18. Any and all records of any and all inspections on the Cox Cable circuit, poles, and equipment in the area adjacent to the point of origin, for 2004, 2005, 2006, and 2007.
19. Any and all grid/circuit reports for the Cox Cable circuit, poles, and equipment in the area adjacent to the point of origin, for 2004, 2005, 2006, and 2007.
20. The Cox Cable operation and maintenance policy and procedures manual in effect at the time of the fire.
21. Any and all Cox Cable documents relating to the cause of the fire.
22. Name the jurisdiction in which the Cox Cable circuit, poles, and equipment in the area adjacent to the point of origin of the respective fire are located.
23. Any and all Cox Cable-generated investigation reports for the cause of the subject fire.
24. Who inspected the area at and around the Cox Cable circuit, poles, and equipment in the area adjacent to the point of origin, for 2004, 2005, 2006, and 2007?

25. Any and all written reports by the Cox Cable troubleman in relation to the events surrounding the fire at the circuit, poles, and equipment in the area adjacent to the point of origin, for 2004, 2005, 2006, and 2007.
26. Any and all outage reports for the Cox Cable circuit in the area adjacent to the point of origin, for 2004, 2005, 2006, and 2007.
27. Any and all Cox Cable-generated metallurgy reports regarding the subject fire.
28. Any Cox Cable origin and cause investigation report for the subject fire.
29. Any and all records of measurements taken by Cox Cable or its contractors at the area of origin of the fire
30. Cox Cable business and performance reports for 2004, 2005, 2006, and 2007.
31. Any and all reports by Cox Cable to the CPUC regarding the subject fire.
32. Any and all press releases by Cox Cable regarding the subject fire.
33. Any and all e-mails, letters, or other communications by Cox Cable to the Governor of the State of California, including, but not limited to his staff, employees or agents; the Attorney General of the State of California, including but not limited to his staff, employees or agents; any member of the United States House of Representatives, including, but not limited to his/her staff, employees or agents; any member of the United States Senate, including, but not limited to his/her staff, employees or agents; any member of the California Legislature, including, but not limited to his/her staff, employees or agents; the San Diego County Board of Supervisors, the Mayor and City Council of the City of San Diego, including, but not limited to his/her staff, employees or agents; or any other elected official, regarding the subject fire.

34. Any and all communications between Cox Cable and the San Diego County fire agencies regarding the subject fire.
35. Cox Cable operations and maintenance policy and procedures manual.
36. Any Cox Cable accident prevention manuals dated November 1997 to present.
37. Any Cox Cable hazard reduction guide dated November 1997 to present.
38. Any and all Cox Cable fire reporting manuals.
39. Cox Cable Claims Department policy and guidelines for handling fire suppression cost claims and requests for information and documents relating to a fire incident for the circuit, poles, and equipment in the area adjacent to the point of origin, for 2004, 2005, 2006, and 2007.
40. Listing of any and all maintenance-related budget increases allowed by the CPUC during 2004, 2005, 2006, and 2007.
41. Any and all Cox Cable memos or reports during 2004, 2005, 2006, and 2007, regarding Cox Cable's grid, circuit, line, and pole maintenance obligations.
42. Any and all Cox Cable inspection reports for the circuit, poles, and equipment in the area adjacent to the point of origin of the Guejito Fire, during 2004, 2005, 2006, and 2007.
43. Any and all computer generated reports regarding Cox Cable grid, circuit, line, and pole maintenance report schedules and maintenance information for the circuit adjacent to the origin of the subject fire.
44. Cox Cable's 2006 maintenance report with supporting documents for the circuit, poles, and equipment in the area adjacent to the point of origin.

45. Daily record of events dated 10/19/07 – 10/31/07, for the Cox Cable circuit, poles, and equipment in the area adjacent to the point of origin.
46. Any and all reports/records of maintenance performed on the Cox Cable circuit, poles, or equipment in the area adjacent to the point of origin, during 2004, 2005, 2006, and 2007.
47. Any and all reports/records from 10/19/07 through 10/31/07 that may reasonably indicate faults on the Cox Cable circuit, poles, and equipment in the area adjacent to the point of origin.
48. Any and all Cox Cable right-of-way/easements, and agreements, current or expired, within one-half mile radius of the circuit, poles, and equipment in the area adjacent to the point of origin.
49. Any and all records of post-audit inspections of the Cox Cable circuit, poles, and equipment in the area adjacent to the point of origin, for 2004, 2005, 2006, and 2007.
50. Any and all Cox Cable inspectors' reports with any follow-up reports identifying any unsatisfactory maintenance issues, or improper construction or engineering techniques for the aforementioned Cox Cable circuit in the area adjacent to the point of origin during 2004, 2005, 2006, and 2007.
51. Any and all Cox Cable inspectors' reports with any follow-up reports identifying any unsatisfactory maintenance issues, or improper construction or engineering techniques for the SDG&E/SEMPRA circuit in the area adjacent to the point of origin during 2004, 2005, 2006, and 2007.
52. Any and all SDG&E/SEMPRA inspectors' reports with any follow-up reports identifying any unsatisfactory maintenance issues, or improper construction or engineering techniques for

the aforementioned Cox Cable circuit in the area adjacent to the point of origin during 2004, 2005, 2006, and 2007.

53. Any and all Cox Cable line inspector referrals to maintenance employees, contractors, or agents for necessary maintenance, construction or engineering corrections on the aforementioned Cox Cable circuit in the area adjacent to the point of origin, for 2004, 2005, 2006, and 2007.
54. Any and all Cox Cable line inspector referrals to maintenance employees, contractors, or agents for necessary maintenance, construction or engineering corrections on the SDG&E/SEMPRA circuit in the area adjacent to the point of origin, for 2004, 2005, 2006, and 2007.
55. Any and all SDG&E/SEMPRA line inspector referrals to Cox Cable maintenance employees, contractors, or agents for necessary maintenance, construction or engineering corrections on the aforementioned Cox Cable circuit in the area adjacent to the point of origin, for 2004, 2005, 2006, and 2007.
56. Any and all evidence that is exculpatory.

CAL FIRE greatly appreciates your anticipated assistance and cooperation in providing the foregoing information, items and documents. If there is a problem in providing particular information, items or documents within 10 days of receipt of this letter, CAL FIRE is prepared to be flexible provided that you contact me immediately and establish an acceptable schedule for providing the aforementioned information, items and documents. Any information or materials provided in response to this communication will remain within the context of the investigation unless otherwise required by law.

Please deliver the following requested information, items and documents, together with Southern California Edison's bill for the reasonable cost of reproduction of such documents, to:

Pete J. Marquez, Deputy Chief  
CAL FIRE  
Southern Region Fire Prevention/Law Enforcement  
1234 E. Shaw Ave. Fresno CA 93710

Office: (559) 243-4117  
Cell: (559)779-8692  
Fax :(559)222-3409

If you have any comments or inquiries, please do not hesitate to contact me at your earliest convenience.

Most cordially,

PETE J. MARQUEZ  
Southern Region Fire Prevention/Law Enforcement  
California Department of Forestry  
and Fire Protection

cc: D. Hillman  
T. Hoffman  
G. Chandler, Esq.  
R. Harrington, Esq.  
B. Darrington

bcc: T. Cronin



A3



A4



A5



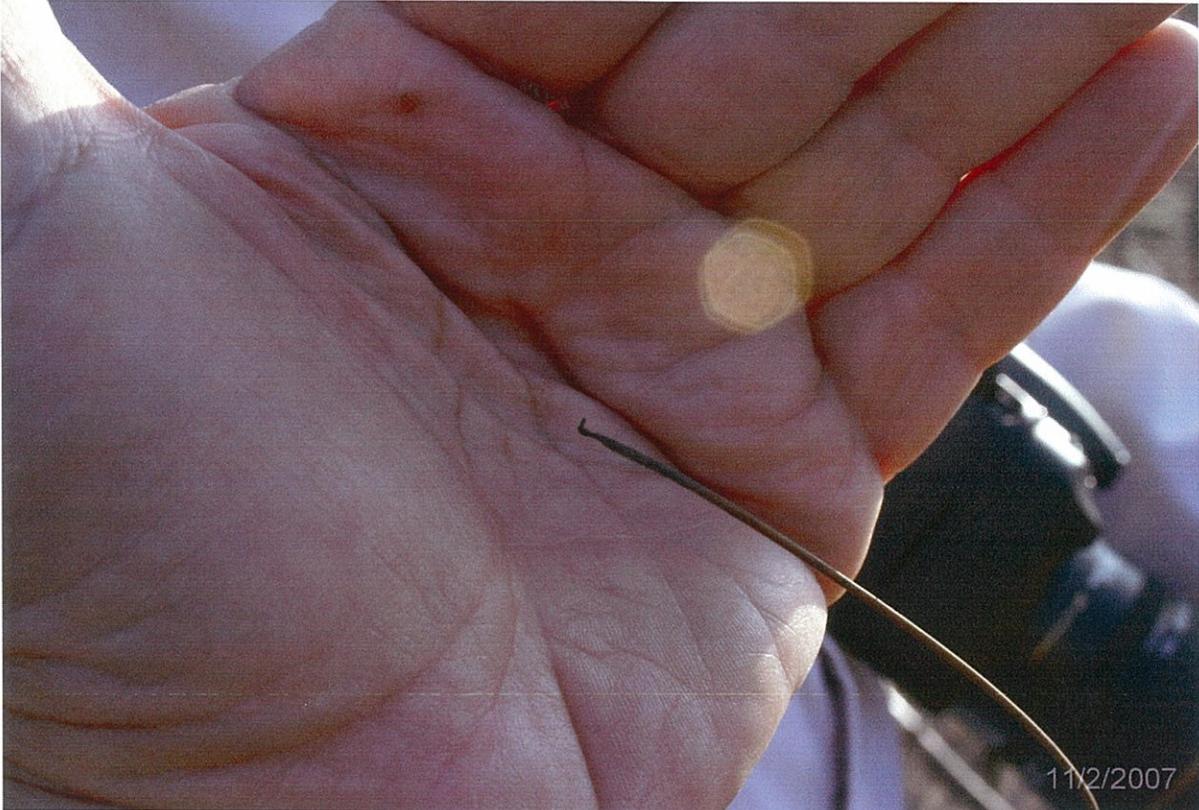
A6



A7



A8



A9



A10



A11



A12



11/2/2007

A13



11/2/2007

A14



A15



A16



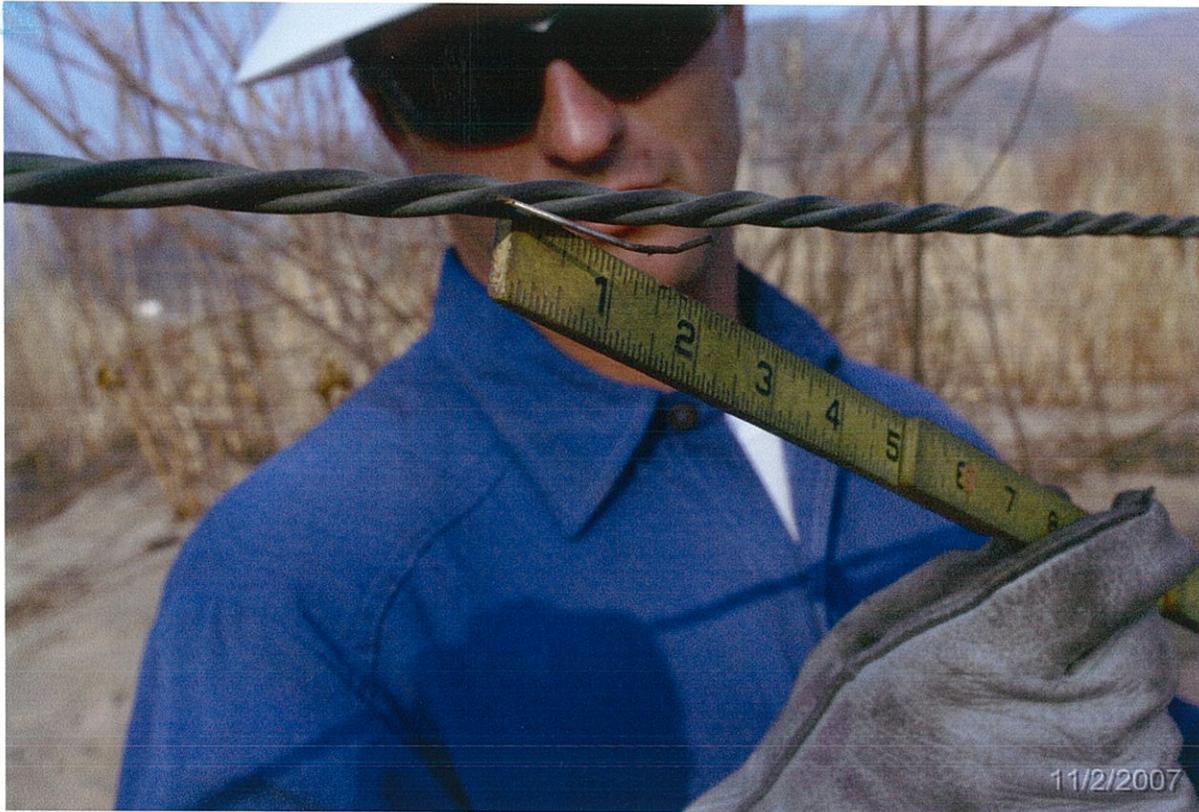
A17



A18



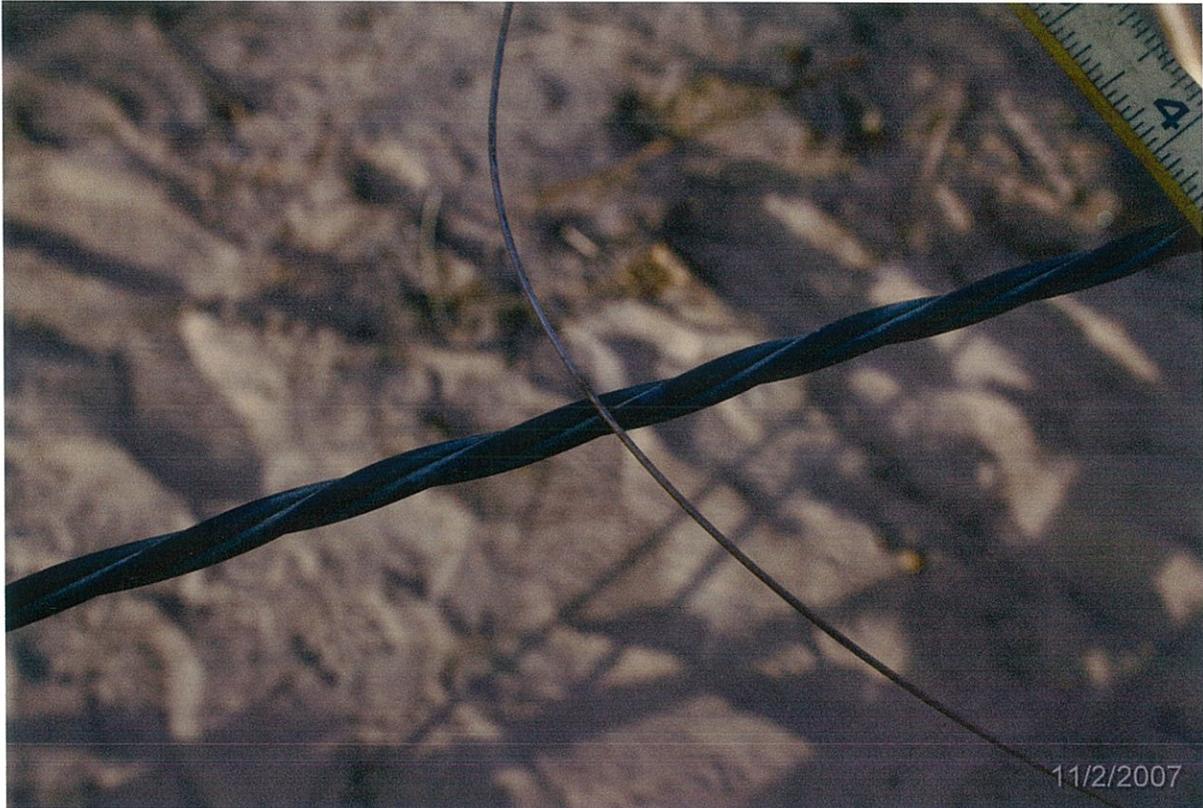
A19



A20



A21



A22



A23



A24



A25



A26



11/2/2007

A27



11/2/2007

A28



**A29**

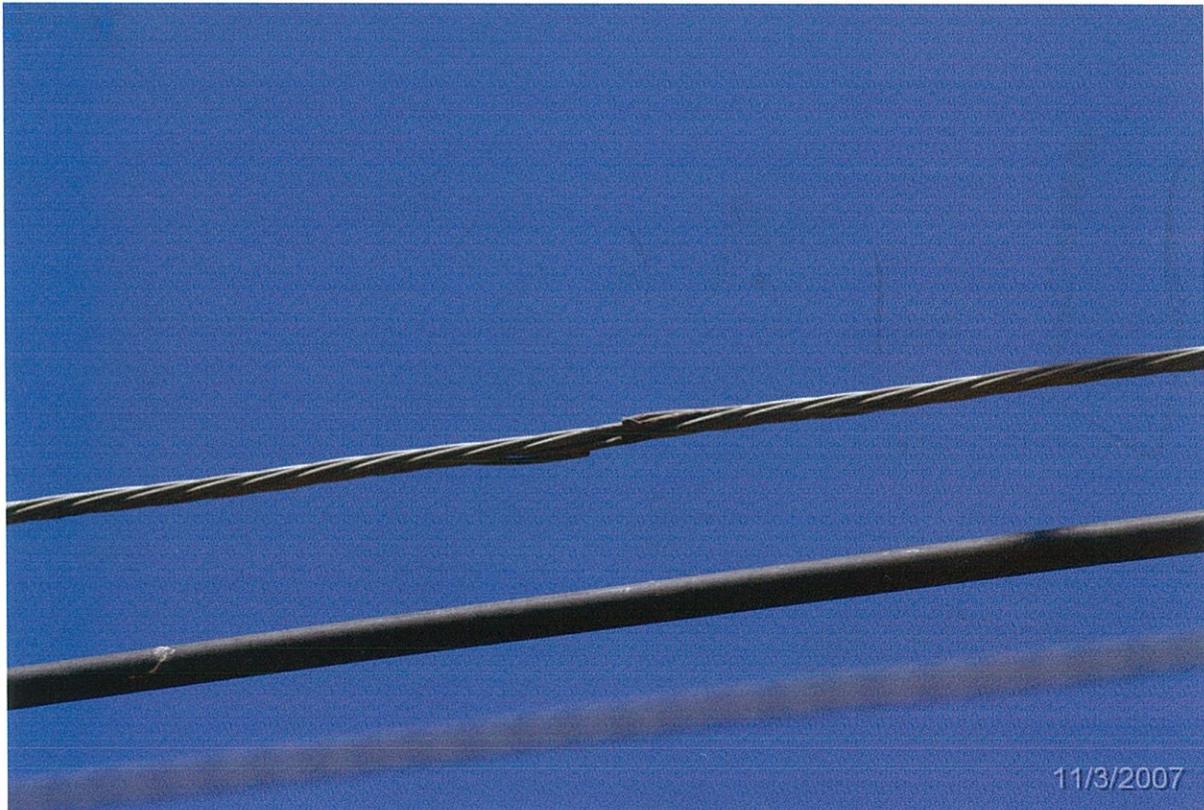


**A30**



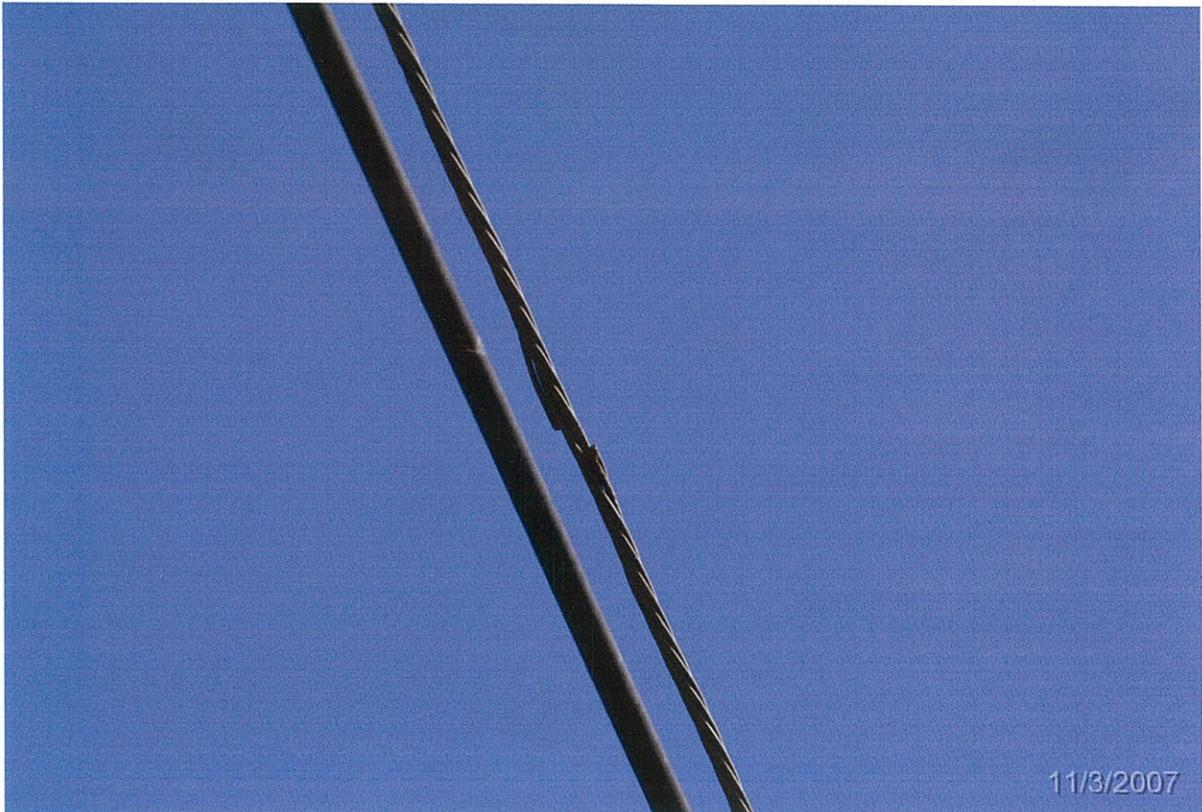
11/3/2007

B1



11/3/2007

B2



11/3/2007

83

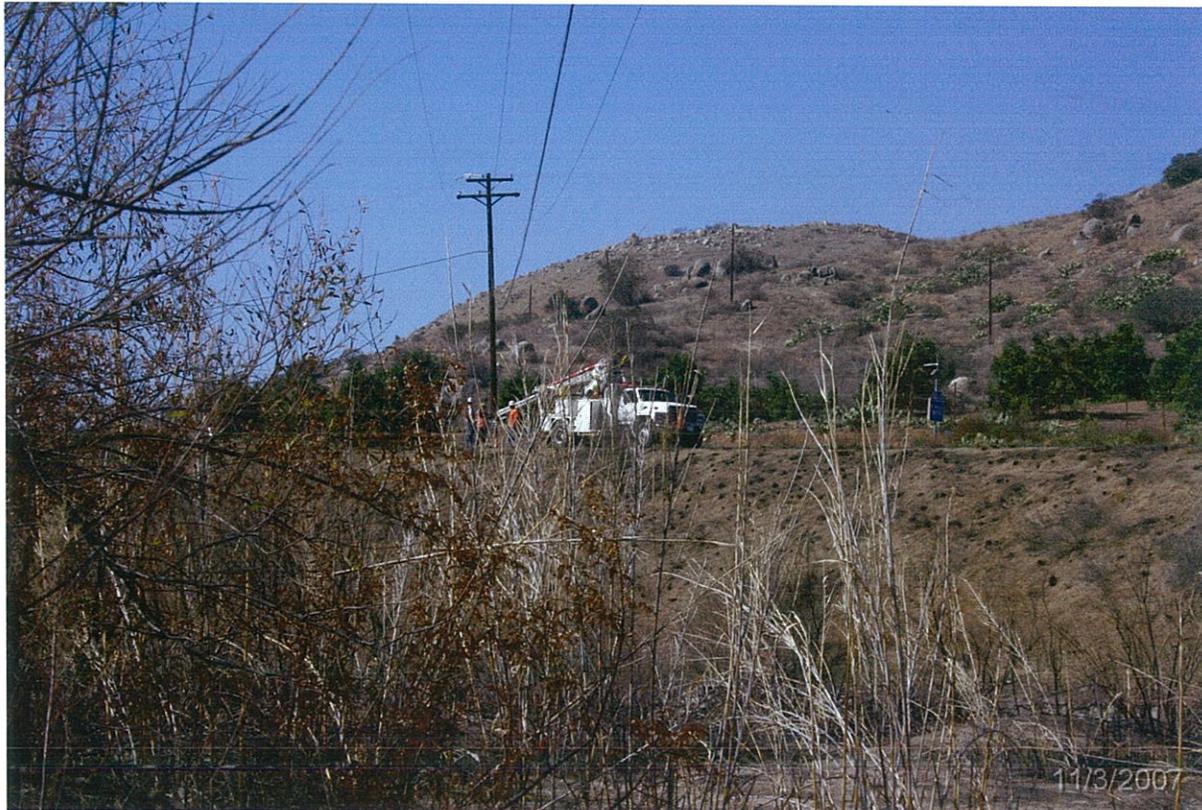


11/3/2007

84



B5



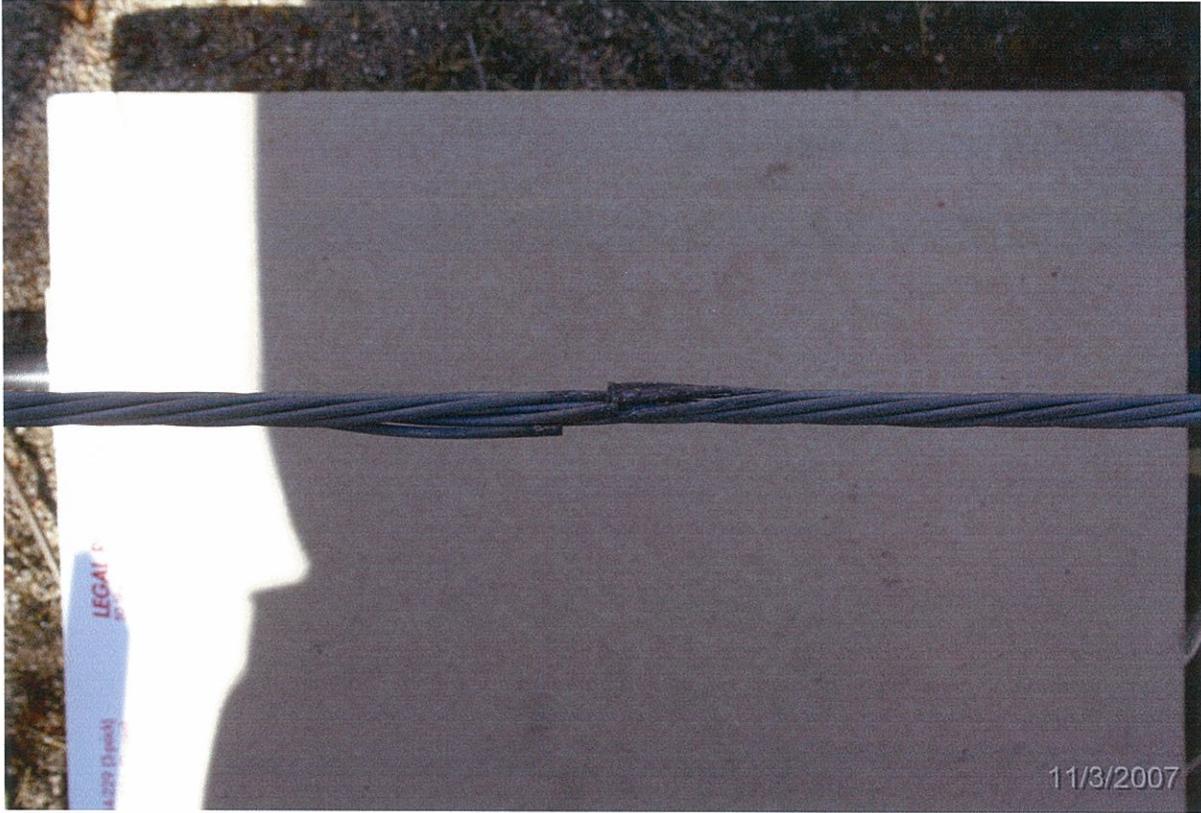
B6



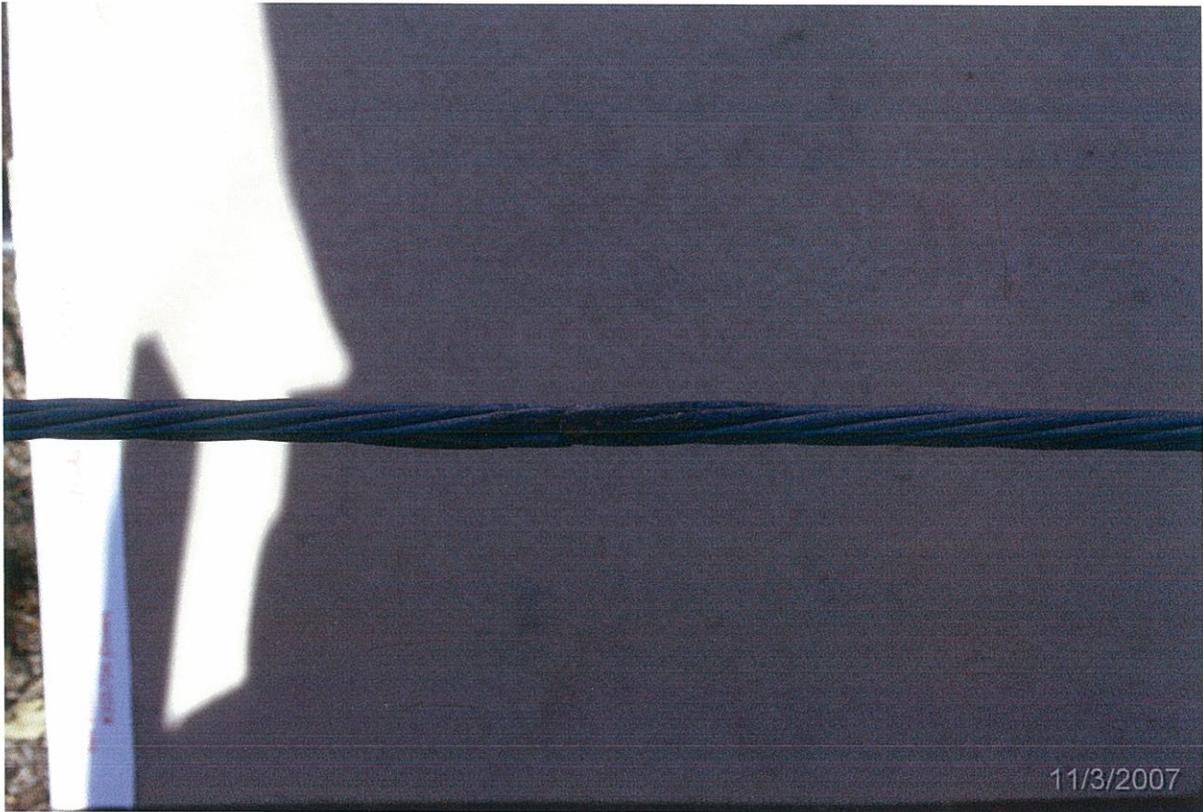
B7



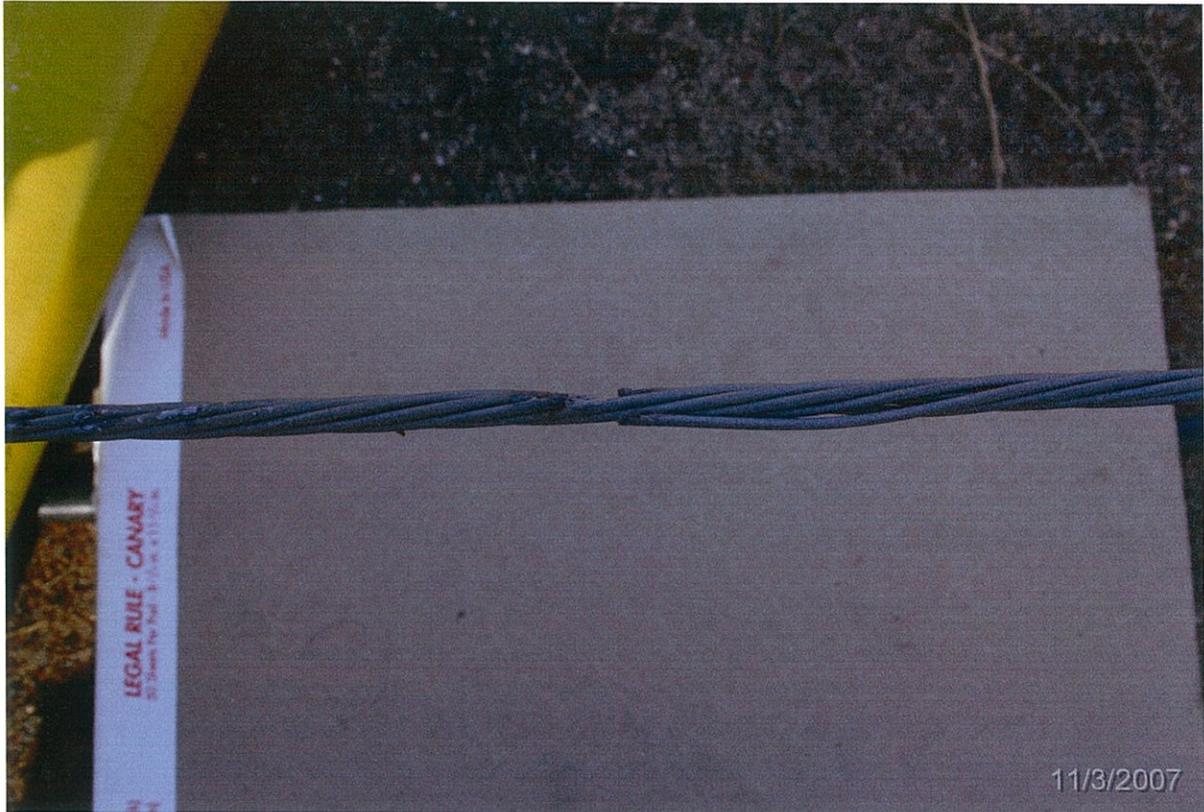
B8



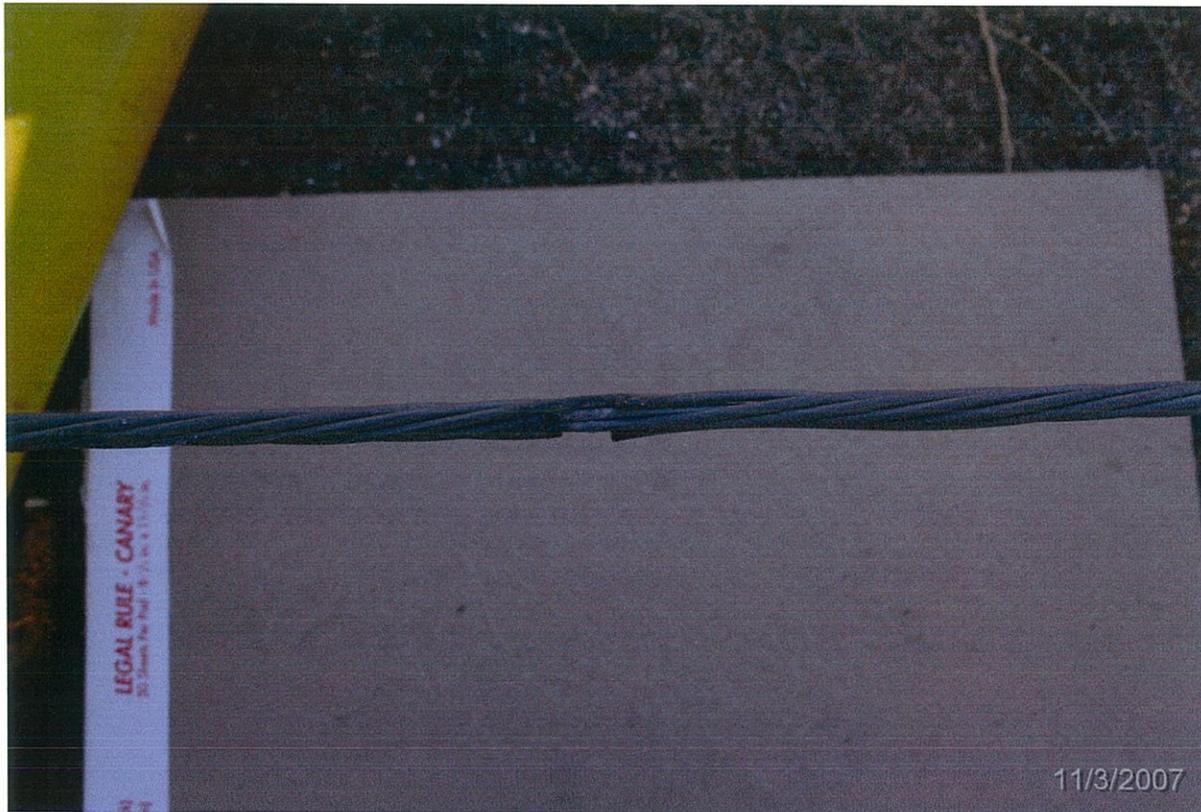
B9



B10



B11



B12



B13



B14



B15



B16



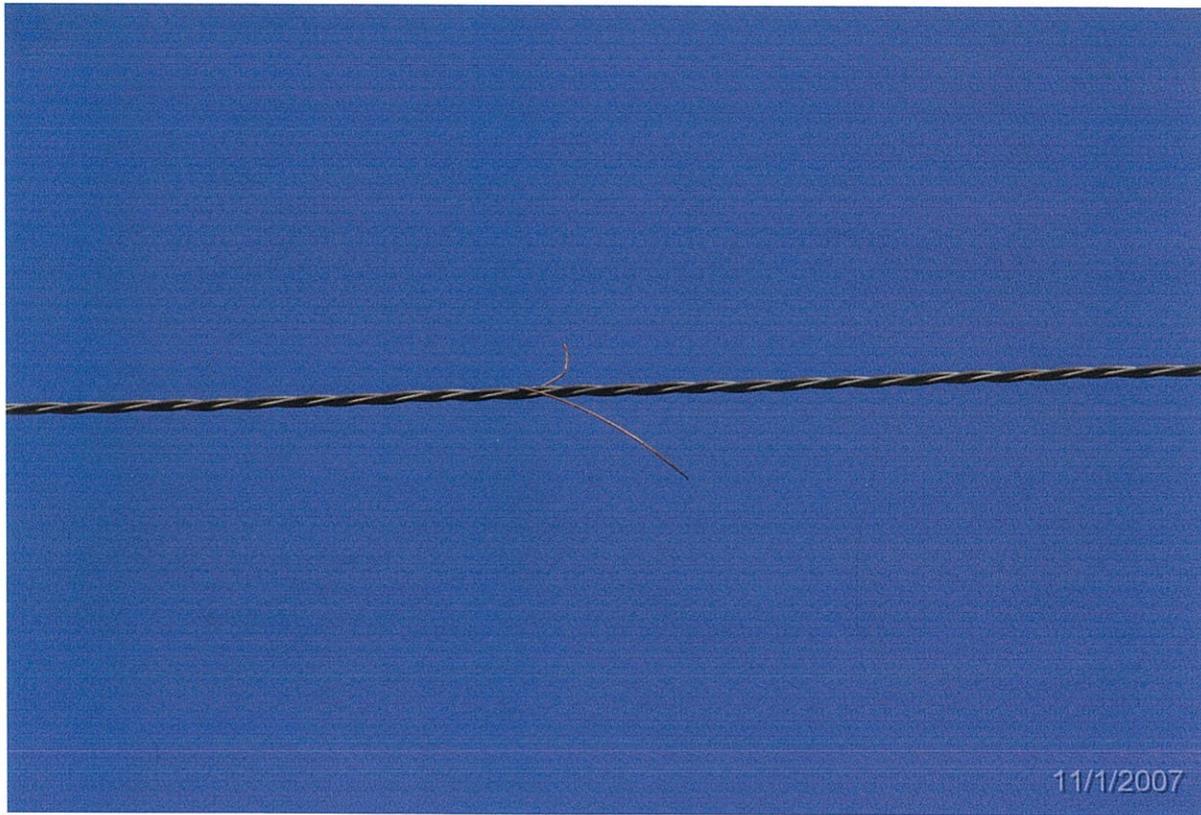
**B17**



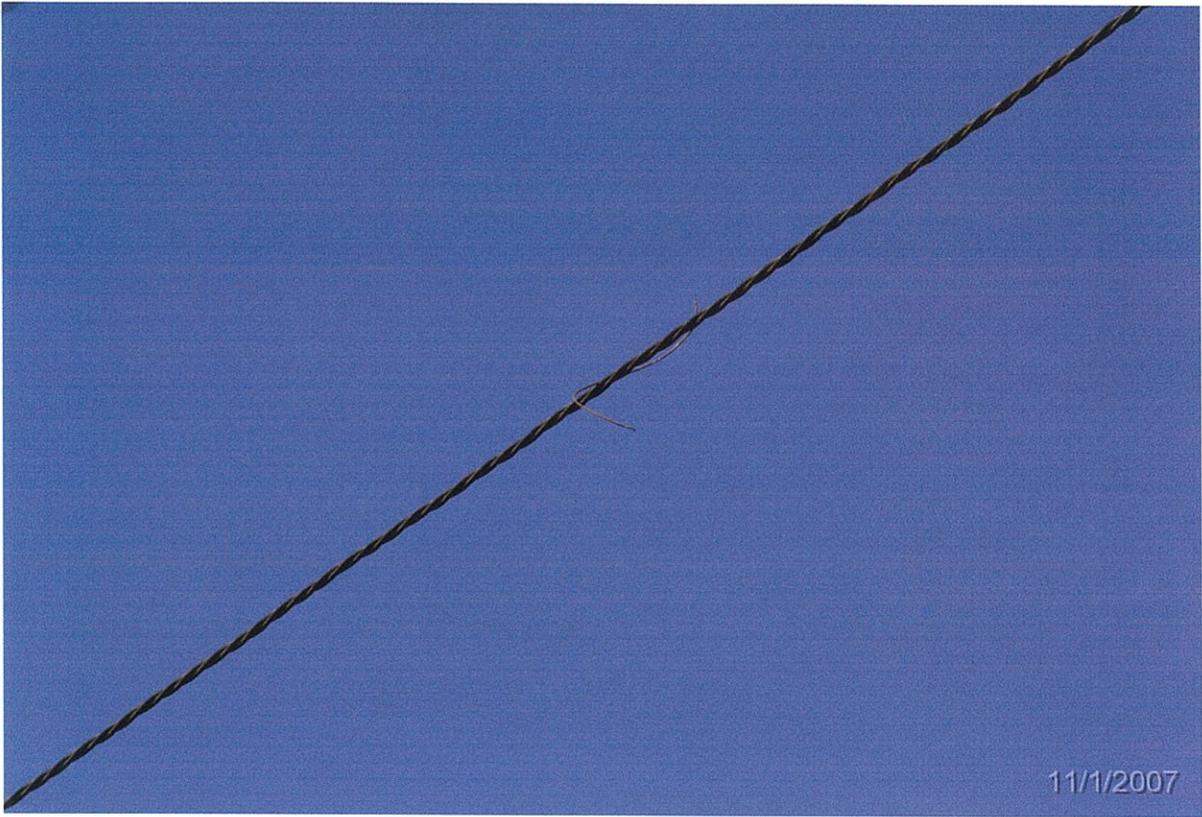
**B18**



A



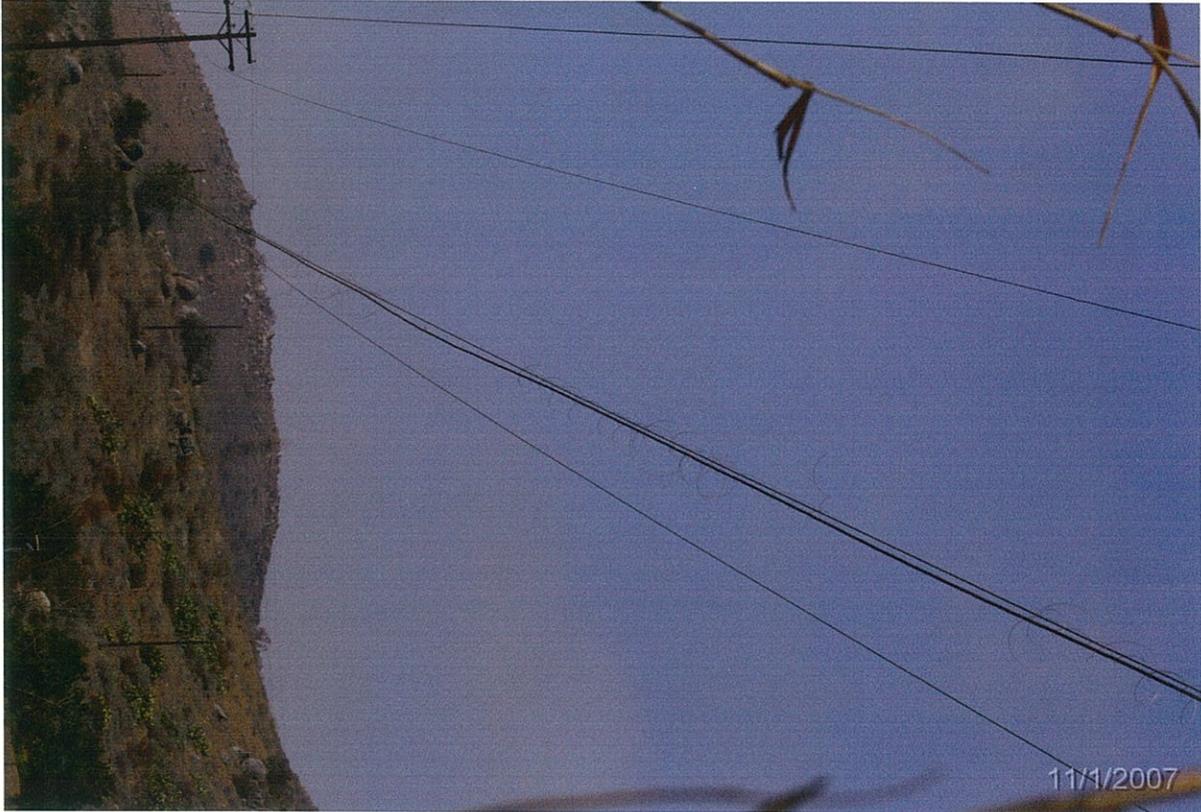
B



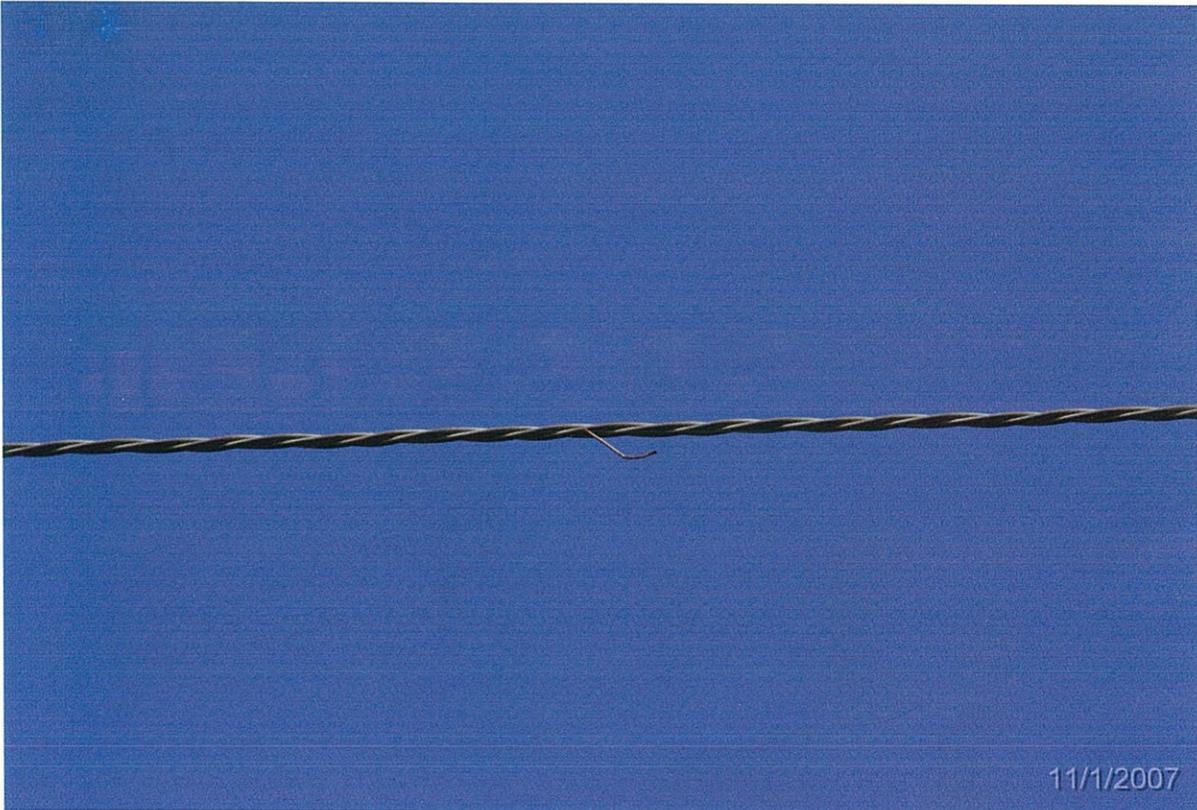
C



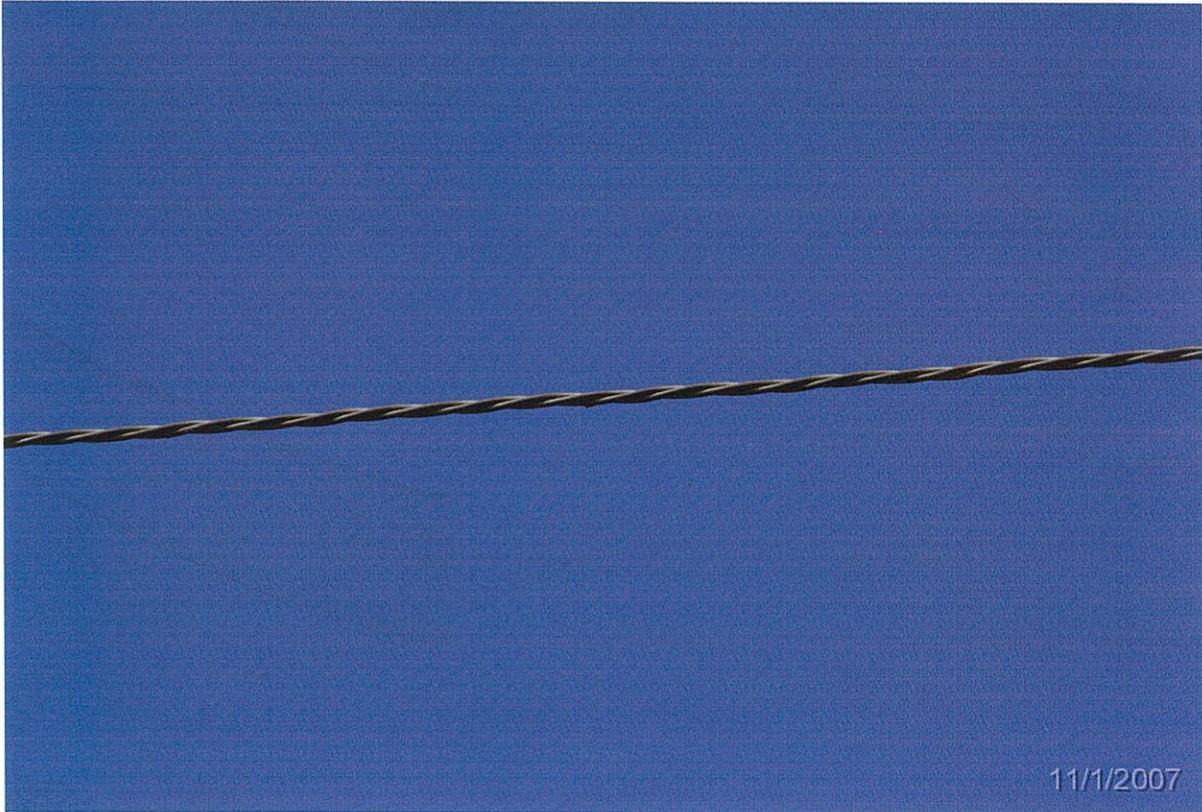
D



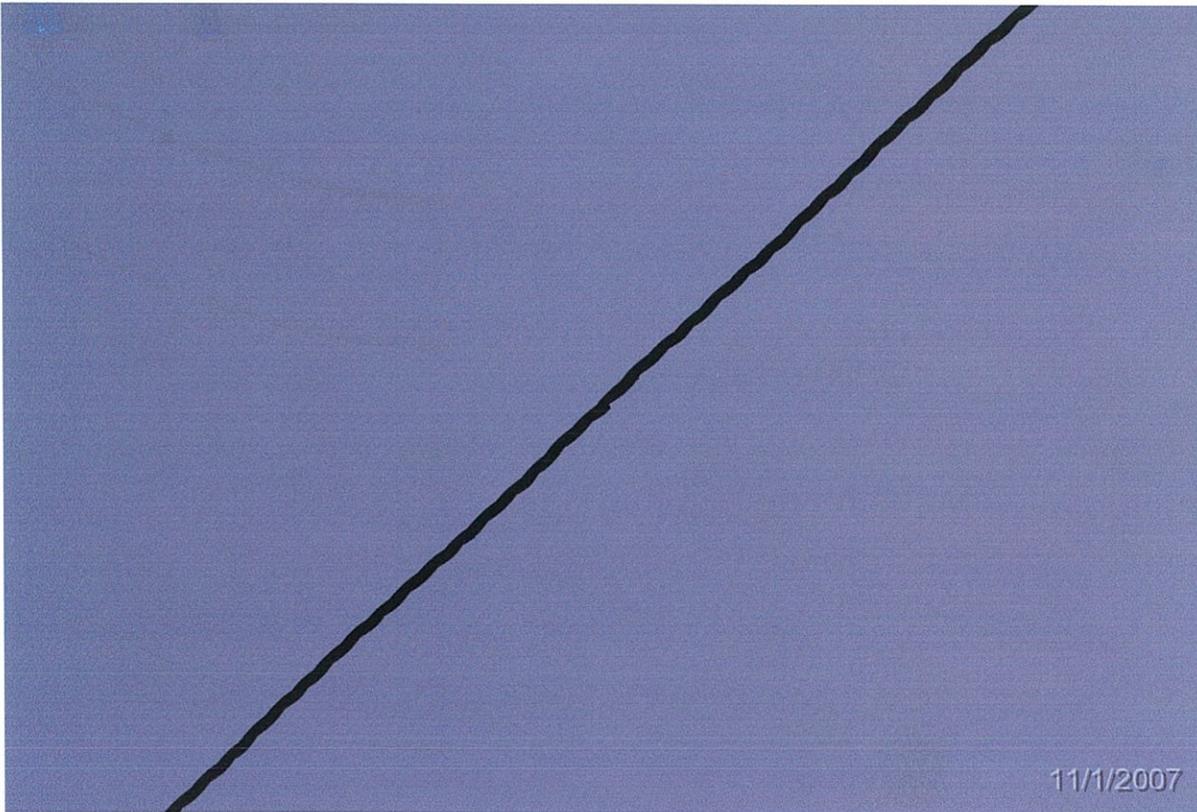
E



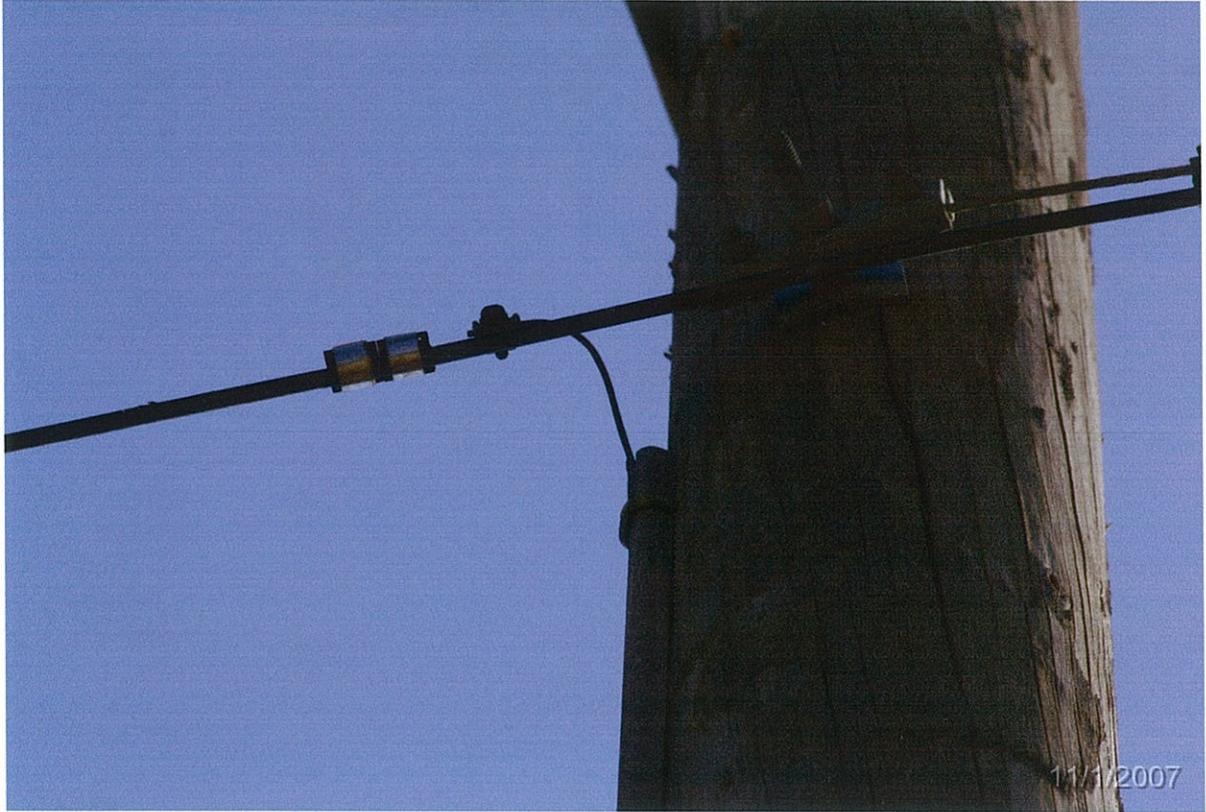
F



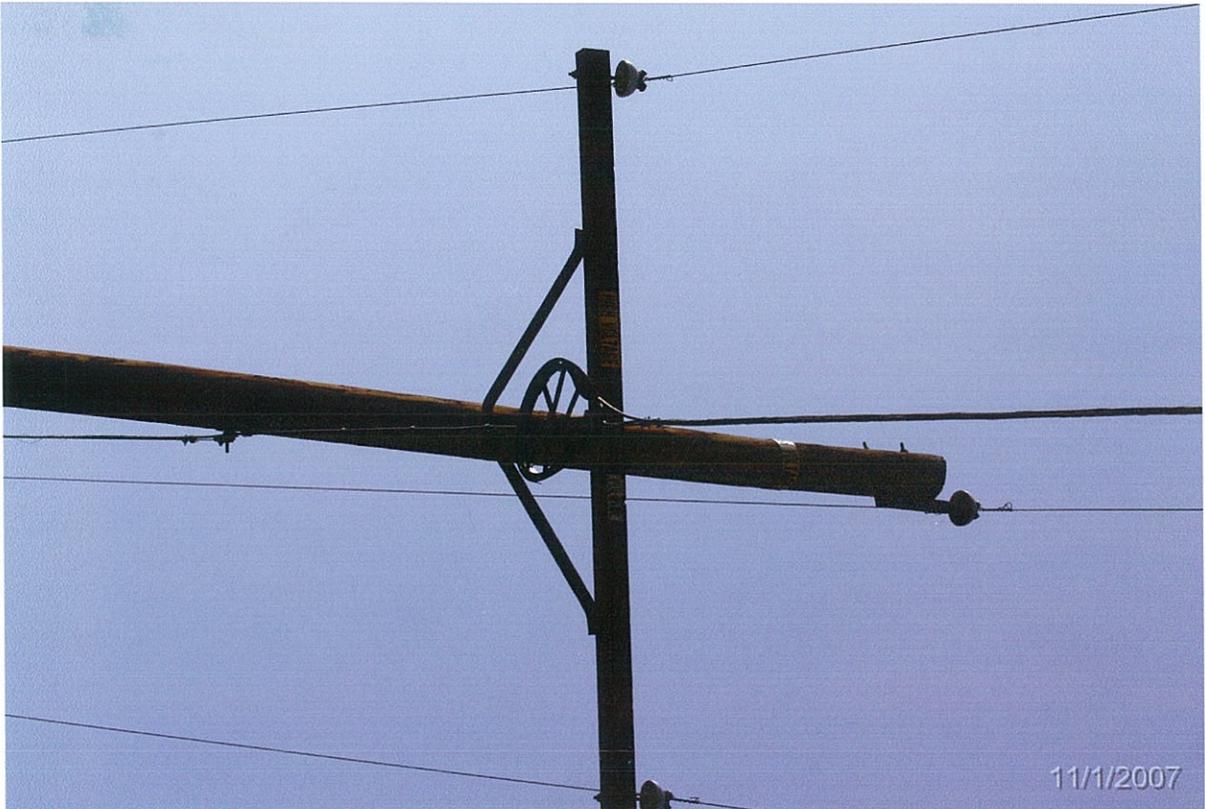
G



H



K



L



M



N



0



P



Q



R



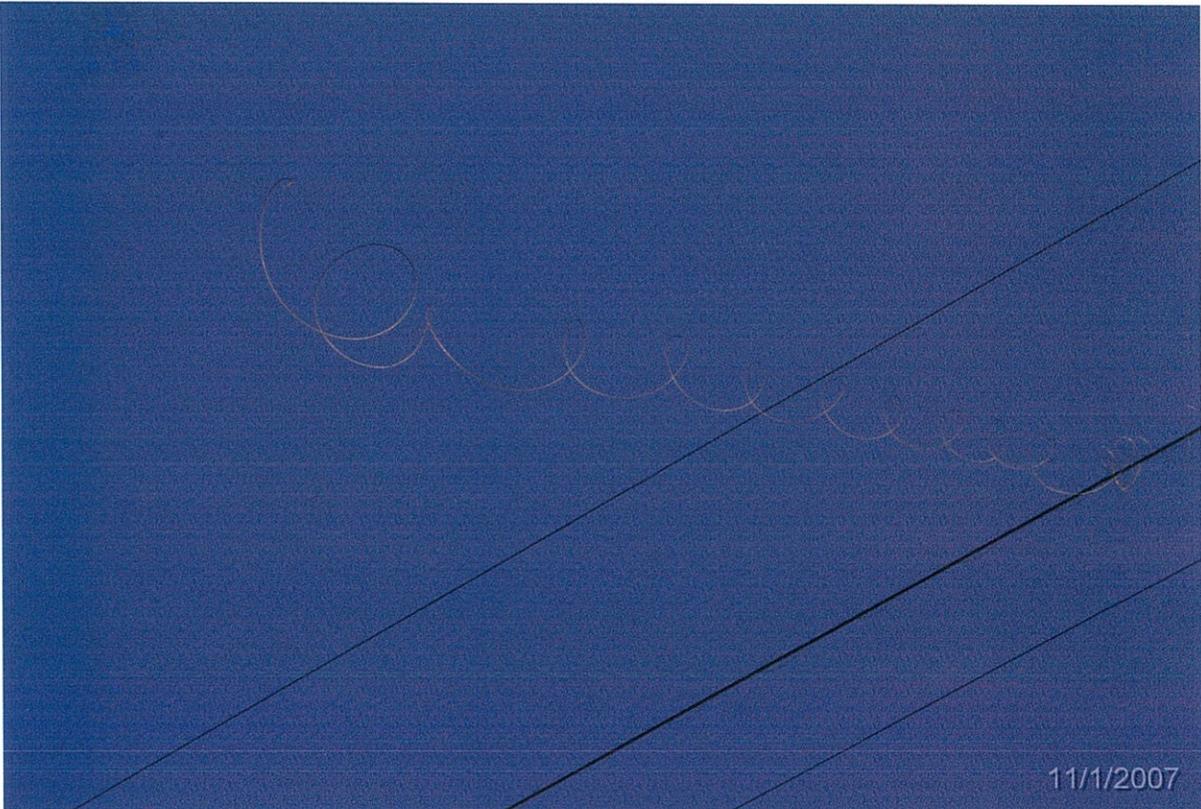
S



T



W



X



Y



Z