

Wildfire Risk FAQ

06/05/25

This FAQ is provided in response to several inquiries received by the South Dakota Public Utilities Commission and is intended for informational purposes only. The PUC is not involved in the development, review, or approval of these plans. This FAQ should not be interpreted as the PUC taking a position on this matter.

Do electric utilities have the ability to shut off power under current law?

SDCL 49-34A-2.1 provides in relevant part that

No public utility may, except in cases of emergency, fail to provide, discontinue, reduce or impair service to a community, or a part of a community, except for nonpayment of account or violation of rules and regulations, unless permission has been first obtained from the Public Utilities Commission to do so. ...

Therefore, pursuant to this law a public utility **may** disconnect power in cases of emergency.

What is a Public Safety Power Shutoff plan (PSPS)?

A Public Safety Power Shutoff (PSPS) is a safety measure initiated by utilities, designed to reduce the risk of wildfire or other catastrophic events and to protect infrastructure, as well as company, public, and private property and the health and safety of residents by proactively temporarily deenergizing power lines during extreme and dangerous weather conditions.

What is the PUC's role in utility companies' PSPS plans?

Under current South Dakota law, the PUC does not have authority to require or approve the plan.

Are PSPSs common?

PSPS plans and wildfire prevention procedures are not unique to any one utility. PSPS plans have become a topic of conversation across the country, particularly in the wake of devastating fires on the West Coast in 2018 and in Hawaii in 2023 where lives were lost, for example. Therefore, this is a topic that many, if not all states, are dealing with.