



**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

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Order Instituting Rulemaking to Consider
Authorization of a Non-Bypassable charge to
Support California's Wildfire Fund.

Rulemaking 19-07-017
(Filed July 26, 2019)

**PRE-HEARING CONFERENCE STATEMENT OF
LIBERTY UTILITIES (CALPECO ELECTRIC) LLC (U 933 E)**

Edward N. Jackson
Director, Rates and Regulatory Affairs
Liberty Utilities (West Region)
9750 Washburn Road
Downey, CA 90241
Telephone: (562) 299-5166
Email: Edward.Jackson@libertyutilities.com

Sharon Yang
Director of Legal Services
Liberty Utilities (West Region)
9750 Washburn Road
Downey, CA 90241
Telephone: (562) 299-5120
Email: Sharon.Yang@libertyutilities.com

August 7, 2019

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

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LIBERTY UTILITIES (CALPECO ELECTRIC) LLC (U 933 E)**

Pursuant to Ordering Paragraph No. 8 of Order Instituting Rulemaking 19-07-017 (“OIR”) issued July 16, 2019, Liberty Utilities (CalPeco Electric) LLC (“Liberty CalPeco”) hereby files this Pre-Hearing Conference (“PHC”) statement. In response to Assembly Bill 1054, the Commission issued this OIR to consider whether to require certain electrical corporations to collect from ratepayers the non-bypassable charge described in that statute to support California’s new Wildfire Fund. Liberty CalPeco is a named respondent to the OIR, which requires respondents to file PHC statements related to the imposition of the non-bypassable charge. Accordingly, Liberty CalPeco submits this PHC statement.

I. LIBERTY CALPECO HAS NOT YET DECIDED WHETHER TO PARTICIPATE IN THE WILDFIRE FUND

Liberty CalPeco has yet to determine the threshold issue of whether or not it will participate in the Wildfire Fund. Public Utilities Code Section 3280 defines Liberty CalPeco as a regional electrical corporation (under 250,000 customer accounts) that is eligible to participate in the Wildfire Fund, subject to certain conditions, including initial and annual contributions. At this time, Liberty CalPeco does not anticipate requesting to participate in the Wildfire Fund. However, Liberty CalPeco remains in

the process of evaluating Assembly Bill 1054 and Public Utilities Code sections 3820-3297 and has not yet made a final decision whether to participate.

Liberty CalPeco anticipates deciding whether to participate in the Wildfire Fund during the course of this proceeding after conducting a complete analysis of the impact on the company and its customers. If Liberty CalPeco does not request to participate in the Wildfire Fund, then the issues scoped in this OIR are moot for the company and its customers; Liberty CalPeco customers would not be subject to the non-bypassable charge.

II. LIBERTY CALPECO ADDRESSES THE PROPOSED SCOPE OF THIS PROCEEDING

Notwithstanding the fact that Liberty CalPeco has yet to decide whether it will participate in the Wildfire Fund, Liberty CalPeco submits the following comments to the OIR's proposed scope of issues.

A. Whether it is appropriate for the Commission to exercise its authority under Public Utilities Code Section 701 to require certain electrical corporations to impose a non-bypassable charge on ratepayers to support California's Wildfire Fund established by AB 1054, including payment of bonds issued pursuant to Section 80500 et seq. of the Water Code

While the scope in this proceeding should include whether it is appropriate for the Commission to exercise its authority under Public Utilities Code Section 701 to require participating electrical corporations to impose a non-bypassable charge on its customers, the Commission should expand the scope to address whether, or how, the Commission should exercise this authority over electrical corporations that have not yet decided whether to participate in the Wildfire Fund before a proposed decision in this proceeding.

B. Whether imposition of the Wildfire Fund non-bypassable charge is just and reasonable

The scope of this proceeding should include whether imposition of the Wildfire Fund non-bypassable charge is just and reasonable. Such an imposition, however, would not be just and reasonable if an electrical corporation decides not to participate in the Wildfire Fund.

C. The estimated dollar amount of the revenue requirement referred to in Section 3289 of the Public Utilities Code

The scope of this proceeding should include the estimated dollar amount of the revenue requirement referred to in Section 3289 of the Public Utilities Code. Because Liberty CalPeco is not a large electrical corporation, it would not be subject to the revenue requirement of \$880,000,000 per year pursuant to Section 3290(a)(1)(A).

D. The nature of the Commission's agreement with the Department of Water Resources pursuant to Water Code Section 80524(b)

The scope of this proceeding should include the nature of the Commission's agreement with the Department of Water Resources pursuant to Water Code Section 80524(b).

E. Other issues relating to the Wildfire Fund non-bypassable charge that must be addressed before the Wildfire fund non-bypassable charge may be imposed

At this time, Liberty CalPeco has not identified any additional relevant issues.

Liberty CalPeco will inform the Commission during the course of the proceeding whether it intends to request participation in the Wildfire Fund.

Respectfully submitted,

/s/ Sharon Yang

Sharon Yang
Director of Legal Services
Liberty Utilities (West Region)
9750 Washburn Road
Downey, CA 90241
Telephone: (562) 299-5120
Email: Sharon.Yang@libertyutilities.com

Attorney for
Liberty Utilities (CalPeco Electric) LLC

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