



ALJ/SJP/mef 1/25/2023

FILED

01/25/23

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

1:19 PM

A2107003

Application of Liberty Utilities
(Apple Valley Ranchos Water) Corp.
(U346W) for Authority to Increase
Rates Charged for Water Service by
\$2,862,903 or 11.11% in 2022,
\$2,068,273 or 7.18% in 2023, and
\$2,280,637 or 7.35% in 2024.

Application 21-07-003

And Related Matter.

Application 21-07-004

**E-MAIL RULING REQUIRING
AMENDED NOTICES OF EX PARTE COMMUNICATION**

Dated January 25, 2023, at San Francisco, California.

/s/ SOPHIA J. PARK

Sophia J. Park
Administrative Law Judge

From: Park, Sophia <sophia.park@cpuc.ca.gov>

Sent: Wednesday, January 25, 2023 2:35 PM

To: VFu@ProsperaLaw.com; Yip-Kikugawa, Amy C. <amy.yip-kikugawa@cpuc.ca.gov>; dzarchy@gmail.com; Gutierrez, Thomas <Thomas.Gutierrez@cpuc.ca.gov>; Sorensen, Cortney <Cortney.Sorensen@cpuc.ca.gov>; Moussa, Hani <hani.moussa@cpuc.ca.gov>; JTempleton@ProsperaLaw.com; AnnMarie.Lett@LibertyUtilities.com; Dan.Marsh@libertyutilities.com; Edward.Jackson@LibertyUtilities.com; Tiffany.Thong@LibertyUtilities.com; Odell, Eileen <Eileen.Odell@cpuc.ca.gov>; Hancock, Jefferson <Jefferson.Hancock@cpuc.ca.gov>; Divina, Marianne <Marianne.Divina@cpuc.ca.gov>; Rauschmeier, Richard <richard.rauschmeier@cpuc.ca.gov>; Park, Sophia <sophia.park@cpuc.ca.gov>; Baldwin, Vanessa <vanessa.baldwin@cpuc.ca.gov>
Cc: ALJ_Support ID <alj_supportid@cpuc.ca.gov>; ALJ Process <alj_process@cpuc.ca.gov>; ALJ Docket Office <ALJ_Docket_Office@cpuc.ca.gov>

Subject: A.21-07-003 et al. - Email Ruling Requiring Amended Notices of Ex Parte Communication

Liberty Utilities (Park Water) Corp. and Liberty Utilities (Apple Valley Ranchos Water) Corp. (collectively, "Liberty") filed notices of ex parte communication on January 13, 2023 and January 24, 2023. Both notices include the following statement regarding the topic of the ex parte communications: "Liberty discussed various issues it had with the December 20, 2022 proposed decision issued by Administrative Law Judge Sophia J. Park." (January 13, 2023 Notice at 1; January 24, 2023 Notice at 1.) The notices do not provide any additional description of the topic of the communications.

Rule 8.4(a)(3) of the Commission's Rules of Practice and Procedure requires that a notice of ex parte communication include: "a description of the interested person's, but not the decisionmaker's, communication including a summary of all of the points or arguments made in the communication, together with any request, recommendation, or advice provided to the decisionmaker."

Liberty's notices of ex parte communication filed on January 13, 2023 and January 24, 2023 fail to meet the requirements of Rule 8.4(a)(3). Liberty is directed to file and serve amended notices of ex parte communication providing the information required by Rule 8.4(a)(3) within three days of the date of this ruling. In addition, Liberty is directed to comply with all Rule 8.4 notice requirements in filing any future ex parte notices in these proceedings.

It is so ruled.

THE DOCKET OFFICE SHALL FORMALLY FILE THIS RULING.

Sophia J. Park

Senior Administrative Law Judge
California Public Utilities Commission
Sophia.Park@cpuc.ca.gov

From: Yip-Kikugawa, Amy C. <amy.yip-kikugawa@cpuc.ca.gov>

Sent: Wednesday, January 25, 2023 11:34 AM

To: Park, Sophia <sophia.park@cpuc.ca.gov>

Cc: VFu@ProsperaLaw.com; Yip-Kikugawa, Amy C. <amy.yip-kikugawa@cpuc.ca.gov>; dzarchy@gmail.com; Gutierrez, Thomas <Thomas.Gutierrez@cpuc.ca.gov>; Sorensen, Cortney

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<Marianne.Divina@cpuc.ca.gov>; Rauschmeier, Richard <richard.rauschmeier@cpuc.ca.gov>; Park,
Sophia <sophia.park@cpuc.ca.gov>; Baldwin, Vanessa <vanessa.baldwin@cpuc.ca.gov>
Subject: A.21-07-003/004 - Liberty Utilities (Apple Valley Rancheros and Park Water) Ex Parte Notice

Dear ALJ Park,

The Public Advocates Office (Cal Advocates) is writing regarding the Notice of Ex Parte Communications filed by Liberty Utilities (Apple Valley Rancheros) and Liberty Utilities (Park Water) yesterday, January 24, 2023. In their Notice, the Liberty Utilities state “Liberty discussed various issues it had with the December 20, 2022 proposed decision issued by Administrative Law Judge Sophia J. Park.” The notice falls well short of the requirements of the Commission’s Rules of Practice and Procedure, Rule 8.4(a)(3), which requires that the communication includes “a summary of all of the points or arguments made in the communication, together with any request, recommendation, or advice provided to the decisionmaker.” Because the Liberty Utilities’ inadequate notice fails to provide the necessary transparency intended from the Commission’s ex parte reporting rules, Cal Advocates respectfully requests that the Liberty Utilities be directed to file a corrected ex parte notice that meets the requirements of Rule 8.4(a)(3). This is especially important given that Cal Advocates will have no opportunity to have its own meeting with President Reynolds and her advisor prior to the Commission’s consideration of your Proposed Decision.

Sincerely,

Amy Yip-Kikugawa
Assistant General Counsel

California Public Utilities Commission
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