



**FILED**

02/23/23

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ALJ/DBB/KHY/nd3 2/23/2023

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

Application of PACIFIC GAS AND  
ELECTRIC COMPANY (U39E) for  
Review of the Disadvantaged  
Communities – Green Tariff,  
Community Solar Green Tariff and  
Green Tariff Shared Renewables  
Programs.

Application 22-05-022

And Related Matters.

Application 22-05-023

Application 22-05-024

**ADMINISTRATIVE LAW JUDGES' RULING  
REVISING PROCEDURAL SCHEDULE**

As discussed herein, this Ruling adopts the Revised Procedural Schedule below in response to party procedural e-mail requests to modify the schedule.

On February 14, 2023, Southern California Edison Company (SCE) sent an e-mail to the Administrative Law Judges and members of the service list for the consolidated applications. In the e-mail, SCE requested changes to the procedural schedule. In response, on February 15, 2022, Coalition for Community Solar Access (CCSA), The Utility Reform Network (TURN), and Clean Coalition e-mailed the service list with varying recommendations. Copies of these e-mails are attached as Attachment 1. Each of the schedule proposals, including the current schedule, are presented in Table A below and include the proposal supporters.

**Table A. Schedule Proposals**

	<b>Current Schedule</b>	<b>SCE Proposal</b>	<b>TURN alternative</b>
<b>Supporters</b>	CCSA, Arcadia Power, Cypress Creek, SEIA, and Solar Landscape	11 Unnamed Supporters	Clean Coalition
<b>Workshop</b>	February 27, 2023	February 27, 2023	February 27, 2023
<b>Amended Testimony</b>	TBD	March 15, 2023	March 15, 2023
<b>Reply Testimony</b>	March 17, 2023	N/A	N/A
<b>Concurrent Rebuttal Testimony</b>	March 31, 2023	April 7, 2023	April 7, 2023
<b>Surrebuttal Testimony</b>			April 21, 2023
<b>Motion for Hearings/Oral Argument Due*</b>	March 31, 2023	April 7, 2023	April 21, 2023
<b>Opening Briefs</b>	N/A	April 28, 2023	May 12, 2023
<b>Reply Briefs</b>	N/A	May 12, 2023	May 26, 2023

There are two concerns expressed by parties that require our response. First, we agree with SCE that opening briefs and reply briefs are necessary and have not been scheduled. SCE correctly points out in its e-mail that briefs, not testimony, are the appropriate vehicle to address legal arguments. Thereby, we also disagree with CCSA, that opening briefs and reply briefs would only be required if evidentiary hearings are held. Accordingly, the revised schedule we adopt below includes deadlines for filing opening briefs and reply briefs.

Second, we address related concerns expressed by CCSA and TURN regarding the need for reply or surrebuttal testimony. We find that amended testimony, rebuttal testimony, and surrebuttal testimony allows for “the development of a complete record.” However, these multiple rounds of testimony may still result in disputed facts, which could require evidentiary hearings. While doubtful, the need for evidentiary hearing cannot be determined

until after the service of the three rounds of testimony. Hence, we include a deadline to request evidentiary hearing. If no evidentiary hearing is scheduled, parties will need to file motions for testimony to be entered into the record. A deadline for filing such motions is also included on the revised schedule.

Relatedly, there is a slight variation in the requested rounds of testimony. CCSA requests reply testimony and TURN requests surrebuttal testimony. We find it unnecessary to schedule both reply and surrebuttal testimony. Surrebuttal testimony provides that final opportunity to present facts in response to prior testimony. Thus, the adopted schedule indicates a deadline for serving surrebuttal testimony.

We find the following Revised Proceeding Schedule meets the needs of due process and regulatory efficiency.

**REVISED PROCEEDING SCHEDULE**

<b>EVENT</b>	<b>DEADLINE</b>
Proposal Workshop Held	February 27, 2023
Amended Testimony Served	March 15, 2023
Rebuttal Testimony Served	April 7, 2023
Surrebuttal Testimony Served	April 21, 2023
If applicable, Motions for Evidentiary Hearing Filed	April 21, 2023
If applicable, Motions to Enter Testimony Filed	May 1, 2023

EVENT	DEADLINE
Opening Briefs Filed	May 10, 2023
Reply Briefs Filed	May 22, 2023

**IT IS RULED** that the Revised Proceeding Schedule herein is adopted.

Dated February 23, 2023, at San Francisco, California.

/s/ DEBBIE CHIV

Debbie Chiv  
Administrative Law Judge

/s/ KELLY A. HYMES

Kelly A. Hymes  
Administrative Law Judge

# **ATTACHMENT 1**