

PUBLIC UTILITIES COMMISSION505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298

May 26, 2023

FILED

TO PARTIES OF RECORD IN CASE 21-03-003

05/26/23

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C2103003

This proceeding was filed on March 4, 2021, and is assigned to Commissioner Houck and Administrative Law Judge (ALJ) Larsen. This is the decision of the Presiding Officer, ALJ Larsen.

Any party to this adjudicatory proceeding may file and serve an Appeal of the Presiding Officer's Decision within 30 days of the date of issuance (i.e., the date of mailing) of this decision. In addition, any Commissioner may request review of the Presiding Officer's Decision by filing and serving a Request for Review within 30 days of the date of issuance.

Appeals and Requests for Review must set forth specifically the grounds on which the appellant or requestor believes the Presiding Officer's Decision to be unlawful or erroneous. The purpose of an Appeal or Request for Review is to alert the Commission to a potential error, so that the error may be corrected expeditiously by the Commission. Vague assertions as to the record or the law, without citation, may be accorded little weight.

Appeals and Requests for Review must be served on all parties and accompanied by a certificate of service. Any party may file and serve a Response to an Appeal or Request for Review no later than 15 days after the date the Appeal or Request for Review was filed. In cases of multiple Appeals or Requests for Review, the Response may be to all such filings and may be filed 15 days after the last such Appeal or Request for Review was filed. Replies to Responses are not permitted. (*See, generally, Rule 14.4 of the Commission's Rules of Practice and Procedure at www.cpuc.ca.gov.*)

If no Appeal or Request for Review is filed within 30 days of the date of issuance of the Presiding Officer's Decision, the decision shall become the decision of the Commission. In this event, the Commission will designate a decision number and advise the parties by letter that the Presiding Officer's Decision has become the Commission's decision.

/s/ MICHELLE COOKE

Michelle Cooke

Acting Chief Administrative Law Judge

MLC:mph

Attachment

ALJ/POD-JOR/mpb

Decision PRESIDING OFFICER'S DECISION OF ALJ LARSEN
(Mailed 5/26/2023)

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Margaret Abele,

Complainant,

vs.

Case 21-03-003

Pacific Gas and Electric Company
(U39E),

Defendant.

PRESIDING OFFICER'S DECISION DISMISSING COMPLAINT

Summary

This decision dismisses the complaint filed by Margaret Abele against Pacific Gas and Electric Company concerning electric voltage distortions or irregularities in transmission lines interfering with the operation of Complainant's photovoltaic solar system and to seek just compensation for the same. After reaching a confidential settlement, the parties do not oppose dismissing this complaint.

In addition, this decision orders PG&E to submit information describing the actions it has taken to reduce the voltage irregularities that have interfered with the Complainant's photovoltaic solar system.

Case 21-03-003 is dismissed under Public Utilities Code Section 308(b).

Case 21-03-003 is closed effective today.

1. Factual and Procedural Background

On March 4, 2021, Margaret Abele (Complainant) filed a complaint against Pacific Gas and Electric Company (PG&E) alleging: (1) that voltage distortions or irregularities on PG&E's transmission lines are interfering with the operation of Complainant's photovoltaic solar system; and (2) that PG&E has failed to take appropriate action to prevent the interference. Complainant requested that PG&E: (1) take action to prevent the adverse voltage effects; (2) waive Complainant's charges for electricity until Complainant's solar system works properly; and (3) refund Complainant's bills from April through December 2020.

As a result, PG&E proposed a plan of actions to reduce the voltage irregularities interfering with the Complainant's system, including identifying customers producing them and requiring that they take action to reduce the irregularities interfering with Complainant's system in accordance with PG&E Electric Rule 2, Section F, paragraphs 1-3. PG&E continued to work with Complainant and an engineering consultant to determine the most effective method of installing equipment to protect Complainant's system.

Following a series of prehearing conferences, the Assigned Commissioner issued a Scoping Memo and Ruling on October 14, 2021 setting forth the category, issues, hearing schedule, and other matters necessary to scope this proceeding pursuant to Public Utilities (Pub. Util.) Code Section 1701.1 and Article 7 of the Commission's Rules of Practice and Procedure.

As an adjudicatory matter, the statutory deadline for this proceeding was March 4, 2022.¹ On February 28, 2022, the Commission extended the statutory deadline until December 4, 2022 to give the parties time to test equipment and methods being employed to protect Complainant's system.

In the parties' October 26, 2022 progress report, PG&E and complainant's representative Brita Hodgins reported that the parties entered into a confidential settlement agreement on July 7, 2022. The parties continued to work through the terms and conditions of the settlement, and PG&E continued to monitor the solar system. To allow additional time to confirm that the issues with the solar system have been resolved and to satisfy other terms within the confidential settlement agreement, the Commission granted an additional extension of the statutory deadline to June 4, 2023.

On March 1, 2023, the assigned Administrative Law Judge (ALJ) notified the parties of the Commission's intent to dismiss this complaint unless the parties file a motion to dismiss or provide good cause within 30 days why this complaint should not be dismissed. In response, the Complainant stated in its March 29, 2023 update that the Complainant did not oppose dismissing the case and requested that the Commission not dismiss it earlier than June 4, 2023. Complainant also reported that the remaining issues are partly attributable to complainant's micro-inverters and partly attributable to PG&E power distortion outside of regulatory parameters.

This matter was submitted on the date this decision by the presiding officer was published.

¹ Pursuant to Pub. Util. Code Section 1701.2(i), "adjudication cases shall be resolved within 12 months of initiation unless the [C]ommission makes findings why that deadline cannot be met and issues an order extending that deadline."

2. Discussion

The parties have reached a confidential settlement of the technical and financial issues regarding complainant's solar system in principle. The current statutory deadline gives the parties additional time in which to finalize details of the remaining terms of the settlement. Since the parties have not provided any reason for continuing the proceeding beyond 27 months, the Commission finds good cause for dismissing this proceeding, effective June 4, 2023.

The remaining issue is that the Commission has an interest in knowing the actions PG&E has taken to reduce the voltage irregularities interfering with the Complainant's solar system. The information the Commission seeks includes the following: 1) the equipment PG&E installed to protect Complainant's system along with any information on the approximate cost; 2) a summary of the effect protective equipment had, including documentation of the voltage waveforms before and equipment was installed, if possible; 3) the parties settlement agreement resolving this dispute.

The Commission has broad authority to regulate public utilities² and may do all things, whether specifically designated in the Public Utilities Code or in addition thereto, which are necessary and convenient in the exercise of the Commission's authority and jurisdiction.³ The Commission finds that requiring PG&E to provide information regarding the actions it took to protect Complainant's system along with any information on the approximate cost is within Commission's authority of ensuring that utilities provide a reasonable utility service to the public. Accordingly, PG&E shall serve a declaration with

² California Constitution Article XII; see *Hartwell Corp. v. Superior Court* (2002) 27 Cal.4th 256, 264-265; see also, *San Diego Gas & Electric Co. v. Superior Court* (1996) 13 Cal.4th 893, 914-915.

³ Pub. Util. Code § 701.

supporting documents including the above information on the service list within 30 days of the effective date of this order. If necessary the information may be filed confidentially or under seal pursuant to General Order 66-D.

3. Appeal and Review of Presiding Officer's Decision

Pursuant to Rule 14.4 (Commission's Rules of Practice and Procedure), any party may file an appeal of the Presiding Officers' decision within 30 days of the date the decision is served. In addition, any Commissioner may request review of the Presiding Officers' decision by filing a request for review within 30 days of the date the decision is served. Appeals and requests for the review shall set forth specifically the grounds on which the appellant or requestor believes the Presiding Officers' decision to be unlawful or erroneous. Vague assertions as to the record or the law, without citation, may be accorded little weight.

4. Assignment of Proceeding

Darcie L. Houck is the assigned Commissioner, and John H. Larsen is the assigned Administrative Law Judge and Presiding Officer in this proceeding.

Findings of Fact

1. PG&E has acted to reduce the voltage irregularities interfering with the Complainant's system, including identifying customers producing them, requiring that they take action to reduce the irregularities interfering with Complainant's system in accordance with PG&E Electric Rule 2, Section F, paragraphs 1-3, and installing equipment to protect Complainant's system.

2. PG&E and Complainant entered into a confidential settlement agreement on July 7, 2022.

3. The parties have not provided good cause for continuing this proceeding.

Conclusions of Law

1. The Commission has an interest in knowing the actions PG&E has taken to reduce the voltage irregularities interfering with the Complainant's solar system.

2. Pursuant to the authority granted under Public Utilities Code Section 308(b), the Commission should dismiss this proceeding.

O R D E R

IT IS ORDERED that:

1. PG&E shall serve a declaration with supporting documents consistent with this order within 30 days of the effective date of this order to the proceeding service list.
2. The case of Margaret Abele against Pacific Gas and Electric Company is dismissed.
3. Case 21-03-003 is closed effective June 4, 2023.

This order is effective today.

Dated _____, at San Francisco, California.