

ALJ/JYL/fzs 9/20/2023



FILED

09/20/23

04:59 PM

C2305016

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Amit Singh,
Complainant,
vs.
San Jose Water Company (U168W),
Defendant.

ECP
Case 23-05-016

**EMAIL RULING REGARDING INSTRUCTIONS FOR OCTOBER 2, 2023,
EXPEDITED COMPLAINT HEARING PARTICIPATION**

Dated September 20, 2023, at San Francisco, California.

/s/ JEFFREY K. LEE
Jeffrey K. Lee
Administrative Law Judge

From: Lee, Jeffrey <Jeffrey.Lee@cpuc.ca.gov>
Sent: Wednesday, September 20, 2023 3:42 PM
To: John Tang <john.tang@sjwater.com>; Amit Singh <singh.amit83@gmail.com>; Wayne, Charisse <Charisse.Wayne@cpuc.ca.gov>; Administrative Law Judge Division - Formal Complaints <ALJFormalComplaints@cpuc.ca.gov>; Nakahara, Martin M. <martin.nakahara@cpuc.ca.gov>; amit83@gmail.com; Douglas, Karen <Karen.Douglas@cpuc.ca.gov>; Customer Service <customer.service@sjwater.com>; ALJ_Support ID <alj_supportid@cpuc.ca.gov>; ALJ Docket Office <ALJ_Docket_Office@cpuc.ca.gov>; ALJ Process <alj_process@cpuc.ca.gov>; ALJ_Hearing Requests <ALJ_HearingRequests@cpuc.ca.gov>
Cc: Vinogradov, Inna <Inna.Vinogradov@cpuc.ca.gov>; Gimeno, Maria Dolores <MariaDolores.Gimeno@cpuc.ca.gov>; Stacey, Jason <Jason.Stacey@cpuc.ca.gov>
Subject: RE: C.23-05-016 (ECP) (Singh v. San Jose Water Co.) - Administrative Law Judge Email Ruling Regarding Instructions for October 2, 2023 Expedited Complaint Hearing Participation (ALJ J.K. Lee)

Administrative Law Judge Email Ruling Regarding Instructions for October 2, 2023 Expedited Complaint Hearing Participation

TO ALL PARTIES ON THE SERVICE LIST:

The expedited complaint procedure (ECP) hearing in the above-captioned matter, is scheduled for **October 2, 2023, at 1:30 p.m.** to address the complaint of Complainant Amit Singh against Defendant San Jose Water Company.

This ruling (1) provides hearing participation instructions and (2) again sets forth requirements for the Parties' exchange and service of UPDATED witness and exhibit lists, marked exhibits, and an ADR statement, as established in the Administrative Law Judge's July 20, 2023 Email ruling.

Instructions for WebEx Hearing

The Parties shall participate in the hearing virtually through the California Public Utilities Commission's (Commission) WebEx platform. The Parties and witnesses

shall log-in 15 minutes before the start of the hearing to test their WebEx connections.

The June 5, 2023 Instructions to Answer and ECP Hearing Notice provided the following information for hearing participants, which remains unchanged.

Attendee

Link: <https://cpuc.webex.com/cpuc/j.php?MTID=m0d8401b1150335b33c7b331ef8910c81>

- **Meeting number:** 2491 587 3343
- **Meeting Password:** pNfn2QbT6R5
- **Call-in Audio by toll-free phone:** 1-855-282-6330 or 1-415-655-0002
- **Call-in (access code):** 2491 587 3343##

Please note that the audio for this WebEx Event will be through WebEx. The above Call-in Audio by toll-free phone number is provided for the convenience of anyone who needs to connect to the WebEx via telephone (versus a computer only).

As *backup* only, the hearing may be conducted by a dial-in telephone conference line if technical or other issues prevent its conduct via Webex. The ALJ will determine whether use of the backup conference line is necessary and email the Service List. The backup ALJ Conference Line number is 877-937-0696 and the Participant code is 7032008.

Exchange and Service of Updated Documents, Exhibits, Witnesses and ADR Statement

By no later than 5:00 pm. on September 27, 2023, the Parties shall meet and confer and may prepare, exchange, and serve by email any UPDATED witness and exhibit lists, marked exhibits, and an ADR statement. The ADR statement shall specifically address whether Complainant Singh received one or more bill adjustments from Defendant San Jose Water Company after filing the complaint, the amount of each adjustment(s), and the amount remaining in controversy, if any, to be addressed by the Administrative Law Judge at the hearing.

All updated materials must comply with the Administrative Law Judge’s July 20, 2023 Email Ruling. That July 20, 2023 Email Ruling directed the Parties to meet and confer to exchange all documents they intend to introduce as evidence at the hearing, identify all witnesses that will testify, and prepare the documents a, b, c, and d below.

The Parties shall pre-mark all Exhibits for identification with a short acronym for the sponsoring party, followed by sequential exhibit and page numbers in the format “[PARTY -- Exhibit number/Page number]” (for example, for Complainant exhibits, use “COMP - 1/1,” “COMP - 1/2,” . . . “COMP – 2/1,” etc., and for Defendant exhibits, use “DEF – 1/1,” “DEF – 1/2,” . . . “DEF – 2/1,” etc.).

The Parties shall prepare Exhibit Lists in the following table format:

[Party Name] Exhibit List

<u>Exhibit No.</u>	<u>Description</u>	<u>Sponsor/Witness</u>	<u>Admissibility Stipulated?</u> <u>(Y/N)</u>	<u>Objection?</u>	<u>Admitted by Judge?</u>
COMP 1	01/10/2023 email from Jane Doe to John Smith	Jane Doe	Y	N	
DEF 1	12/31/2022 Monthly Invoice mailed by Defendant to Jane Doe	John Smith	N	Incomplete copy (page 2 missing)	

Updated documents may be served upon all Parties and the ALJ by email to the Service List (including the Administrative Law Judge) **by no later than 5:00 p.m. on September 27, 2023:**

- a. The Party's pre-marked Exhibits (containing Exhibit numbers corresponding to the Exhibit List);
- b. The Party's list of proposed witnesses that will testify at the hearing for the party;
- c. The Party's completed Exhibit List in the format provided above; and
- d. The Party's statement regarding (1) the suitability of this case for a referral for Alternate Dispute Resolution (ADR), (2) the material issues of fact on which the parties agree, and (3) the disputed material issues that must be addressed to resolve this dispute.

Updated documents above shall be served by email to the official service list but shall **not** be formally filed with the Commission.

The parties are strongly urged to agree to prepare and serve **joint** versions of any updated documents a, b, c, and/or d above by the deadline. Defendant shall be responsible for timely service of any such joint documents.

At the hearing, each party must be fully prepared to present its case as directed by the ALJ, including presentation of documentary evidence and witness testimony, if necessary. Pursuant to the applicable Expedited Complaint Procedure rules, no party will be allowed legal representation at the hearing.

While this case is pending, no party shall engage in an *ex parte* communication with a Commissioner or a Commissioner's advisor. No party shall engage in an *ex parte* communication with the Judge other than for procedural or scheduling purposes.

Before the hearing, all communications to the Administrative Law Judge shall be by email, copied to all parties on the Service List, with "C.23-05-016" in the subject line.

The Docket Office shall formally file this Email Ruling.

IT IS SO RULED.

Jeffrey K. Lee

Administrative Law Judge
California Public Utilities Commission
jeffrey.lee@cpuc.ca.gov

From: Lee, Jeffrey

Sent: Tuesday, August 8, 2023 1:21 PM

To: John Tang <john.tang@sjwater.com>; Amit Singh <singh.amit83@gmail.com>; Wayne, Charisse <Charisse.Wayne@cpuc.ca.gov>; Administrative Law Judge Division - Formal Complaints <ALJFormalComplaints@cpuc.ca.gov>; Nakahara, Martin M. <martin.nakahara@cpuc.ca.gov>; amit83@gmail.com; Douglas, Karen <Karen.Douglas@cpuc.ca.gov>; Customer Service <customer.service@sjwater.com>; ALJ_Support ID <alj_supportid@cpuc.ca.gov>; ALJ Docket Office <ALJ_Docket_Office@cpuc.ca.gov>; ALJ Process <alj_process@cpuc.ca.gov>

Cc: Vinogradov, Inna <Inna.Vinogradov@cpuc.ca.gov>; Gimeno, Maria Dolores <MariaDolores.Gimeno@cpuc.ca.gov>; Stacey, Jason <Jason.Stacey@cpuc.ca.gov>

Subject: C.23-05-016 (ECP) (Singh v. San Jose Water Co.) - Administrative Law Judge Email Ruling Granting Request to Reschedule August 16, 2023 Expedited Complaint Hearing (ALJ J.K. Lee)

Administrative Law Judge Email Ruling Granting Request to Reschedule August 16, 2023 Expedited Complaint Hearing

TO ALL PARTIES ON THE SERVICE LIST:

Upon good cause shown, this Email ruling grants the parties' request to postpone the Expedited Complaint Hearing scheduled for August 16, 2023, at 2:00 p.m. That Expedited Complaint Hearing shall be taken off-calendar.

The Expedited Complaint Hearing in this proceeding will be tentatively reset to October 2, 2023 at 1:30 p.m. A notice will be issued with the new time, date, and instructions for hearing participation.

By no later than 5:00 pm. on September 25, 2023, the parties shall comply with the Administrative Law Judge's rulings to date in this proceeding, including the requirements that the Parties' meet and confer and then exchange and serve by email their witness and exhibit lists, marked exhibits, and an Alternative Dispute Resolution (ADR) statement. As required by the August 2, 2023 ALJ Email Ruling, "the ADR statement shall specifically address whether Complainant Singh received one or more bill adjustments from Defendant San Jose Water Company after filing the complaint, the amount of each adjustment(s), and the amount remaining in controversy, if any, to be addressed by the Administrative Law Judge at the hearing."

The Docket Office shall formally file this Email Ruling.

IT IS SO RULED.

Jeffrey K. Lee

Administrative Law Judge
California Public Utilities Commission
jeffrey.lee@cpuc.ca.gov

From: John Tang <john.tang@sjwater.com>
Sent: Wednesday, August 2, 2023 4:13 PM
To: Lee, Jeffrey <Jeffrey.Lee@cpuc.ca.gov>; Amit Singh <singh.amit83@gmail.com>; Wayne, Charisse <Charisse.Wayne@cpuc.ca.gov>; Administrative Law Judge Division - Formal Complaints <ALJFormalComplaints@cpuc.ca.gov>; Nakahara, Martin M. <martin.nakahara@cpuc.ca.gov>; amit83@gmail.com; Douglas, Karen <Karen.Douglas@cpuc.ca.gov>; Customer Service <customer.service@sjwater.com>; ALJ_Support ID <alj_supportid@cpuc.ca.gov>; ALJ Docket Office <ALJ_Docket_Office@cpuc.ca.gov>; ALJ Process <alj_process@cpuc.ca.gov>
Cc: Vinogradov, Inna <Inna.Vinogradov@cpuc.ca.gov>; Gimeno, Maria Dolores <MariaDolores.Gimeno@cpuc.ca.gov>; Stacey, Jason <Jason.Stacey@cpuc.ca.gov>
Subject: [EXTERNAL] RE: C.23-05-016 (ECP) (Singh v. San Jose Water Co.) -

Administrative Law Judge Email Ruling Regarding August 16, 2023 Expedited Complaint Hearing (ALJ J.K. Lee)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon Your Honor,

I am unfortunately not available on this day. My calendar is open for this time on August 17 or 18 if there is flexibility.

Best,

John

John B. Tang | VP of Regulatory Affairs and Customer Service | San Jose Water Company | 110 West Taylor St. | San Jose, CA 95110
Email: john.tang@sjwater.com | Tel: +1 408 279-7933 | Fax: +1 408 279-7934

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From: Lee, Jeffrey <Jeffrey.Lee@cpuc.ca.gov>

Sent: Wednesday, August 2, 2023 1:50 PM

To: Amit Singh <singh.amit83@gmail.com>; John Tang <john.tang@sjwater.com>; Wayne, Charisse <Charisse.Wayne@cpuc.ca.gov>; Administrative Law Judge Division - Formal Complaints <ALJFormalComplaints@cpuc.ca.gov>; Nakahara, Martin M. <martin.nakahara@cpuc.ca.gov>; amit83@gmail.com; Douglas, Karen <Karen.Douglas@cpuc.ca.gov>; Customer Service <customer.service@sjwater.com>; ALJ_Support ID <alj_supportid@cpuc.ca.gov>; ALJ Docket Office <ALJ_Docket_Office@cpuc.ca.gov>; ALJ Process <alj_process@cpuc.ca.gov>

Cc: Vinogradov, Inna <Inna.Vinogradov@cpuc.ca.gov>; Gimeno, Maria Dolores <MariaDolores.Gimeno@cpuc.ca.gov>; Stacey, Jason <Jason.Stacey@cpuc.ca.gov>

Subject: C.23-05-016 (ECP) (Singh v. San Jose Water Co.) - Administrative Law Judge Email Ruling Regarding August 16, 2023 Expedited Complaint Hearing (ALJ J.K. Lee)

CAUTION: This email originated outside the SJWG organization.

ADMINISTRATIVE LAW JUDGE EMAIL RULING REGARDING AUGUST 16, 2023 EXPEDITED COMPLAINT HEARING

The expedited complaint procedure (ECP) hearing in the above-captioned matter, previously set for August 1, 2023, is hereby re-scheduled to **August 16, 2023, at 2:00 p.m.** to address the complaint of Complainant Amit Singh against Defendant San Jose Water Company.

This ruling (1) provides hearing participation instructions and (2) again sets forth requirements for the Parties' exchange and service of witness and exhibit lists, marked exhibits, and an ADR statement, as established in the Administrative Law Judge's July 20, 2023 Email ruling.

Instructions for WebEx Hearing

The Parties shall participate in the hearing virtually through the California Public Utilities Commission's (Commission) WebEx platform. The Parties and witnesses shall log-in 15 minutes before the start of the hearing to test their WebEx connections.

The June 5, 2023 Instructions to Answer and ECP Hearing Notice provided the following information for hearing participants.

Attendee

Link: <https://cpuc.webex.com/cpuc/j.php?MTID=m0d8401b1150335b33c7b331ef8910c81>

- **Meeting number:** 2491 587 3343
- **Meeting Password:** pNfn2QbT6R5
- **Call-in Audio by toll-free phone:** 1-855-282-6330 or 1-415-655-0002
- **Call-in (access code):** 2491 587 3343##

Please note that the audio for this WebEx Event will be through WebEx. The above Call-in Audio by toll-free phone number is provided for the convenience of

anyone who needs to connect to the WebEx via telephone (versus a computer only).

As *backup* only, the hearing may be conducted by a dial-in telephone conference line if technical or other issues prevent its conduct via Webex. The ALJ will determine whether use of the backup conference line is necessary and email the Service List. The backup ALJ Conference Line number is 877-937-0696 and the Participant code is 7032008.

Exchange and Service of Documents, Exhibits, Witnesses and ADR Statement

As stated in the ALJ's July 31, 2023 email ruling, **by no later than 5:00 pm. on August 9, 2023**, the Parties shall comply with the Administrative Law Judge's July 20, 2023 Email Ruling requirements that the Parties meet and confer and prepare, exchange, and serve by email their witness and exhibit lists, marked exhibits, and an ADR statement. The ADR statement shall specifically address whether Complainant Singh received one or more bill adjustments from Defendant San Jose Water Company after filing the complaint, the amount of each adjustment(s), and the amount remaining in controversy, if any, to be addressed by the Administrative Law Judge at the hearing.

The Administrative Law Judge's July 20, 2023 Email Ruling directed the Parties to meet and confer to exchange all documents they intend to introduce as evidence at the hearing, identify all witnesses that will testify, and prepare the documents a, b, c, and d below.

The Parties shall pre-mark all Exhibits for identification with a short acronym for the sponsoring party, followed by sequential exhibit and page numbers in the format "[PARTY -- Exhibit number/Page number]" (for example, for Complainant exhibits, use "COMP - 1/1," "COMP - 1/2," . . . "COMP - 2/1," etc., and for Defendant exhibits, use "DEF - 1/1," "DEF - 1/2," . . . "DEF - 2/1," etc.).

The Parties shall prepare Exhibit Lists in the following table format:

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<u>Exhibit No.</u>	<u>Description</u>	<u>Sponsor/Witness</u>	<u>Admissibility Stipulated?</u> <u>(Y/N)</u>	<u>Objection?</u>	<u>Admitted by Judge?</u>
COMP 1	01/10/2023 email from Jane Doe to John Smith	Jane Doe	Y	N	
DEF 1	12/31/2022 Monthly Invoice mailed by Defendant to Jane Doe	John Smith	N	Incomplete copy (page 2 missing)	

The following documents shall be served upon all Parties and the ALJ by email to the Service List (including the Administrative Law Judge) **by no later than 5:00 p.m. on August 9, 2023:**

- a. The Party’s pre-marked Exhibits (containing Exhibit numbers corresponding to the Exhibit List);
- b. The Party’s list of proposed witnesses that will testify at the hearing for the party;
- c. The Party’s completed Exhibit List in the format provided above; and
- d. The Party’s statement regarding (1) the suitability of this case for a referral for Alternate Dispute Resolution (ADR), (2) the material issues of fact on which the parties agree, and (3) the disputed material issues that must be addressed to resolve this dispute.

These documents above shall be served by email to the service list but shall **not** be formally filed with the Commission.

The parties are strongly urged to agree to prepare and serve Joint versions of the documents a, b, c, and/or d above by the deadline. Defendant shall be responsible for timely service of any such joint documents.

At the hearing, each party must be fully prepared to present its case as directed by the ALJ, including presentation of documentary evidence and witness testimony, if necessary. Pursuant to the applicable Expedited Complaint Procedure rules, no party will be allowed legal representation at the hearing.

While this case is pending, no party shall engage in an *ex parte* communication with a Commissioner or a Commissioner's advisor. No party shall engage in an *ex parte* communication with the Judge other than for procedural or scheduling purposes.

Before the hearing, all communications to the Administrative Law Judge shall be by email, copied to all parties on the Service List, with "C.23-05-016" in the subject line.

The Docket Office shall formally file this Email Ruling.

IT IS SO RULED.

Jeffrey K. Lee

Administrative Law Judge

California Public Utilities Commission

jeffrey.lee@cpuc.ca.gov