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

Order Instituting Rulemaking to  
Establish Energization Timelines.

Rulemaking 24-01-018

**ASSIGNED COMMISSIONER'S SCOPING  
MEMO AND RULING**

This scoping memo and ruling sets forth the issues, need for hearing, schedule, category, 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 (Rules).

**1. Procedural Background**

Rulemaking (R.) 24-01-018 was opened on January 30, 2024, to allow the Commission to implement certain provisions of Senate Bill (SB) 410 (SB 410, Stats. 2023, Ch. 394) and Assembly Bill (AB) 50 (AB 50, Stats. 2023, Ch. 317), which require the Commission to establish reasonable average and maximum target energization time periods, and a procedure for customers to report energization delays to the Commission, among other requirements.<sup>1</sup> Both SB 410 and AB 50 authorize the commission to modify or adjust the requirements

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<sup>1</sup> SB 410 requires the Commission and the electrical corporations to undertake a variety of activities to promote timely energization of customer connections in California. AB 50 requires the Commission to determine the criteria for timely service for electric customers to be energized, including, among other things, categories of timely electric service through energization. AB 50 also requires the electrical corporations to meet certain energization timeliness, targets and make changes to their distribution planning processes, to be determined by the Commission.

considered in this Rulemaking for utilities with 100,000 or fewer service connections in California.<sup>2</sup>

Some of the requirements established by SB 410 and AB 50 will be implemented in R.24-01-018, while other requirements will be implemented in other proceedings.<sup>3</sup>

R.24-01-018 preliminarily determined that a prehearing conference on the near-term provisions raised in SB 410 and AB 50 was not necessary. The Commission's Energy Division hosted a full-day workshop on February 2, 2024, to better define the scope of issues in this proceeding. A link to the full recording of the workshop and the slides presented were incorporated into the record of this proceeding through Administrative Law Judge (ALJ) ruling, dated February 14, 2024.

Opening comments on R.24-01-018 were filed on February 20, 2024, by: Advanced Energy United (AEU), California Broadband and Video Association (CalBroadband), Cal.Net, Inc (CalNet), The Public Advocates Office at the California Public Utilities Commission (Cal Advocates), California Solar & Storage Association (CALSSA), CALSTART Inc. (CALSTART), California Association of Small and Multi-Jurisdictional Utilities (CASMU), The Center for Biological Diversity (CBD), City and County of San Francisco (CCSF), California Hydrogen Business Council (CHBC), County of Los Angeles (CLA), Clean Energy, California Manufacturers and Technology Association (CMTA), Crown

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<sup>2</sup> Pub. Util. Code §§933.5(e) and 939.

<sup>3</sup> Remaining legislative requirements will be scoped into other Commission proceedings, where appropriate. For example, In Phase 2 of Pacific Gas and Electric Company's (PG&E) General Rate Case proceeding (Application 21-06-021), the Commission will address PG&E's request for a ratemaking mechanism and required qualifications for the third-party auditor pursuant to SB 410. Any additional requests for ratemaking mechanisms from electric corporations will also address required qualifications for third-party auditors.

Castle Fiber LLC (Crown Castle), CTIA Wireless Association (CTIA), California Utility Employees Union (CUE), Environmental Defense Fund and Natural Resources Defense Council (EDF and NRDC), Enchanted Rock, California Building Industry Association, the California Business Properties Association, and the California Apartment Association (Industry Coalition), ChargePoint, EVgo, FLO EV Charging, Electrify America, and Tesla (Joint EV Industry Parties), Mainspring Energy, Inc. (Mainspring), Powering America's Commercial Transportation (PACT), Pacific Gas and Electric Company (PG&E), Pilot Travel Centers, LLC (PTC), Rural County Representatives of California (RCRC), Small Business Utility Advocates (SBUA), Southern California Edison (SCE), San Diego Gas & Electric Company (SDG&E), Solar Energy Industry Association (SEIA), Silicon Valley Clean Energy (SVCE), Terawatt Infrastructure (Terawatt), The Mobility House (TMH), Vehicle-Grid Integrations Council (VGIC) and, Voltera Power, LLC (Voltera).

Reply comments were filed on March 1, 2024, by: CalBroadband, Cal Advocates, CALSTART, CMTA, Crown Castle, CTIA, CUE, EDF/NRDC, EV Realty, Industry Coalition, PACT, PG&E, PTC, SBUA, SCE, SDG&E, SEIA, VGIC, Voltera.

After reviewing the discussion at the February 2, 2024, workshop and the comments filed in R.24-01-018, I have determined the issues and initial schedule of the proceeding to be set forth in this scoping memo.

## **2. Issues**

This proceeding has legislative deadlines that must be addressed by September 2024. Other issues may be considered in the second phase of this proceeding or in other proceedings before the Commission. The legislative

priorities are identified in Section 2(a) below. Additional issues related to improving energization timelines are described in Section 2(b).

### **2a. Phase 1**

The issues to be determined or otherwise considered in Phase 1 of this Rulemaking by no later than September 30, 2024, are:

1. What average and maximum energization time periods should the Commission establish as target timelines on or before September 30, 2024, in order to comply with Pub. Util. Code Section 934(a)(1) for electric utility customers?
  - a. What are the typical steps in the energization process, or energization of electric service under Rules 15, 16, 29, and 45?<sup>4</sup>
  - b. How long does it take for a utility to complete each step in an energization request?
    - i. Does it differ for new service line requests and upgrades to existing service lines, or across different customer types?
    - ii. If so, how?
  - c. Which steps in the utilities' energization process should have assigned target timelines?
  - d. How should the Commission determine whether an energization timeline is reasonable?
  - e. How should targets be structured to minimize delays when addressing existing and future customer energization requests?
  - f. What information should be tracked to assess improvement in utility timelines for energization after

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<sup>4</sup> In this proceeding, a "step" is defined incrementally, such as a customer acquiring property or expanding their electrical needs, filing an application with a utility, receiving confirmation from a utility that the application is accepted, permitting processes, the utility's initiation of work, and final energization.

the targets set on or before September 30, 2024, are established?

2. Should the utilities be directed to establish reporting processes for Commission review of their compliance with the targets set no later than September 30, 2024, pursuant to Pub. Util. Code §934(a)(2)?
3. What procedure(s) for customers should exist to report energization delays for new and upgraded electric service? What additional procedure(s) or improvements should be made for customers on or before September 30, 2024?
  - a. How do utilities currently engage with customers that may have pending or missed deadlines in their energization project requests? How should utilities improve engagement with customers?
  - b. How should the Commission improve the existing processes for how customers report ongoing energization delays to the Commission?<sup>5</sup>
4. Are there end-use project types that justify unique energization timelines pursuant to Pub. Util. Code § 933.5(a)(1)(B)? If so, what types of end-use projects, and for which electric tariffs?<sup>6</sup>
5. What are the existing utility timelines for upstream capacity upgrades that are triggered by energization projects including, but not limited to, new substation construction?
  - a. Should upstream capacity upgrades triggered by energization requests justify a unique energization target pursuant to Pub. Util. Code §933.5(a)?

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<sup>5</sup> Parties should provide information on their existing experiences reporting energization delays to the Commission, if feasible.

<sup>6</sup> For this proceeding, “project types” are defined as customer requests for energization for different types of end-use project requests, such as upgrades to support electric vehicle infrastructure, residential subdivision construction, or other building-electrification projects.

- b. If so, why, and which steps of upstream capacity upgrade projects are unique? What type of upstream infrastructure projects should receive unique timelines?<sup>7</sup>
6. What specific criteria should the Commission establish as annual reporting requirements for the electrical corporations pursuant to Pub. Util. Code Section 933.5(a)(2)?
7. What potential impacts on environmental and social justice communities should be considered or prioritized in the development of energization timelines and reporting processes to ensure the processes adopted in this Rulemaking are in alignment with the Commission's Environmental and Social Justice Action Plan?
8. How often should the Commission update the average and maximum energization targets, and what factors should trigger updates to the targets?
9. Should the energization targets be phased over time?

**2b. Phase 2**

The issues to be determined or otherwise considered in Phase 2 of this Rulemaking are:

1. How could data collected about the utilities' timelines for energization of electric service and the associated customer reporting processes be utilized to improve existing timelines?
2. How could energization timelines better align across utilities, end-use project-types, and/or technology type?
3. Should additional actions beyond compliance with SB 410 and AB 50 be implemented to improve energization timelines, processes, or tariffs in Phase 2 of this proceeding?
4. What actions can expedite energization projects, including when upstream upgrades are necessary?

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<sup>7</sup> Infrastructure projects here refer to different types of upstream capacity projects such as: new bank replacement, new feeder installation, new substation, etc.

5. Considering the outcome of Phase 1, above, are additional actions necessary for implementation of Pub. Util. Code Sections 933.5(a)(3), 933.5(b), 933.5(d), 934, and 945?
6. When a utility requests a new ratemaking mechanism pursuant to Pub. Util. Code Section 937(b), how should the utility report that within the reporting requirements established by Pub. Util. Code §§ 933.5(a)(2) and 933.5(b) in Phase 1?
  - a. How should the incremental ratepayer funding authorized through any Commission-approved ratemaking mechanism pursuant to Pub. Util. Code §933.5 be tracked to ensure it is going toward energizing customer projects?
  - b. How can that information be accurately reported?
  - c. Should this information be tracked in the utilities' General Rate Cases, in Phase 2 of this Rulemaking, in a separate proceeding, or through an Energy Division advice letter process?
7. What potential impacts on environmental and social justice communities should be considered or prioritized in the improvement of energization timelines and reporting processes to align with the Commission's Environmental and Social Justice Action Plan.

### **3. Need for Evidentiary Hearing**

All of the issues raised in Phase 1 of Section 2 above may include contested, material issues of fact. Accordingly, we will allow parties to provide opening and reply on these issues. The need for evidentiary hearing will be determined by the assigned ALJs and further instructions will be provided at the status conferences. The issues to be considered in Phase 2 may be adjusted as necessary after the issues defined in Phase 1 have been addressed.

**4. Schedule**

The following schedule is adopted here and may be modified by the ALJs as required to promote the efficient and fair resolution of Phase 1 of the Rulemaking to meet statutory deadlines:

<b>Phase 1 Schedule</b>	
<b>Event</b>	<b>Date</b>
Opening Comments Filed and Served	April 10, 2024
Reply Comments Filed and Served	April 24, 2024
Status conference	May 1, 2024
Evidentiary hearing (if necessary)	May 2024
Proposed decision	July 2024
Commission decision	September 2024

The opening comments due to be filed and served on April 10, 2024, must not exceed 15 pages. Reply Comments must be filed and served on April 24, 2024, and must not exceed 10 pages.

The purpose of the May 1, 2024, status conference is to ascertain whether, pursuant to Rule 13.8(c), the parties stipulate to the receipt of prepared testimony into evidence related to Phase 1 issues in this proceeding without direct or cross examination or other need to convene an evidentiary hearing or, in the alternative, the parties’ resources, readiness and needs for the effective remote conduct of the evidentiary hearing, including estimates of time requested for cross-examination and identification of anticipated exhibits. Given the expedited requirements to meet legislative deadlines, the first phase of this proceeding is focused on setting energization targets and collecting and consolidating existing information from the utilities.



The schedule for Phase 2 of the proceeding is below and will depend on the outcome of Phase 1. The schedule may be modified by the assigned Commissioner and/or ALJs.

<b>Phase 2 Schedule</b>	
<b>Event</b>	<b>Date</b>
Prepared direct testimony, served	November 2024
Prepared reply testimony, served	December 2024
Status conference	January 2025
Evidentiary Hearing (if necessary)	Q1 2025
Opening Briefs, filed and served	March 2025
Reply Briefs, filed and served	April 2025
Proposed decision	May 2025
Commission decision	Q3 2025

A more detailed schedule for Phase 2 will be provided after the Phase 1 Decision is adopted.

**5. Category of Proceeding and Ex Parte Restrictions**

This ruling confirms the Commission’s preliminary determination that this is a quasi-legislative proceeding.<sup>8</sup> Accordingly, *ex parte* communications are permitted without restriction pursuant to Article 8.2 of the Rules.

**6. Public Outreach**

Pursuant to Pub. Util. Code Section 1711(a), I hereby report that the Commission sought the participation of those likely to be affected by this matter by noticing it in the Commission’s monthly newsletter that is served on

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<sup>8</sup> Order Instituting Rulemaking to Establish Energization Timelines, issued Jan. 30, 2024, Ordering Paragraph 3.

communities and businesses that subscribe to it and posted on the Commission's website.

In addition, the Commission served the Order Instituting Rulemaking on R.18-12-006, R.23-12-008, R.21-06-017, R.22-07-005, R.17-07-007, and Application 21-06-021.

## **7. Intervenor Compensation**

Pursuant to Pub. Util. Code Section 1804(a)(1), in cases where no prehearing conference is scheduled, the Commission may determine the procedure to be used in filing intervenor compensation requests. Section 12 of R.24-01-018 states that parties seeking intervenor compensation should file and serve a notice of intent to claim compensation no later than 30 days after the issuance of the OIR.

## **8. Response to Public Comments**

Parties may, but are not required to, respond to written comments received from the public. Parties may do so by posting such response using the "Add Public Comment" button on the "Public Comment" tab of the online docket card for the proceeding.

## **9. Public Advisor**

Any person interested in participating in this proceeding who is unfamiliar with the Commission's procedures or has questions about the electronic filing procedures is encouraged to obtain more information at <http://consumers.cpuc.ca.gov/pao/> or contact the Commission's Public Advisor at 866-849-8390 or 866-836-7825 (TTY), or send an e-mail to [public.advisor@cpuc.ca.gov](mailto:public.advisor@cpuc.ca.gov).

## **10. Filing, Service, and Service List**

The official Service List has been created and is on the Commission's website. Parties should confirm that their information on the Service List is

correct and serve notice of any errors on the Commission's Process office, the Service List, and the ALJs. Persons may become a party pursuant to Rule 1.4.<sup>9</sup>

When serving any document, each party must ensure that it is using the current official service list on the Commission's website.

This proceeding will follow the electronic service protocol set forth in Rule 1.10. All parties to this proceeding shall serve documents and pleadings using electronic mail, whenever possible, transmitted no later than 5:00 p.m., on the date scheduled for service to occur. Per Rule 1.10, service on the ALJs shall consist of only electronic copies of filed or served documents. Do not send paper copies of documents unless specifically requested by the ALJs.

When serving documents on Commissioners or their personal advisors, whether or not they are on the official Service List, parties must only provide electronic service. Parties must not send hard copies of documents to Commissioners or their personal advisors unless specifically instructed to do so.

Persons who are not parties but wish to receive electronic service of documents filed in the proceeding may contact the Process Office at [process\\_office@cpuc.ca.gov](mailto:process_office@cpuc.ca.gov) to request addition to the "Information Only" category of the official service list pursuant to Rule 1.9(f).

The Commission encourages those who seek information-only status on the service list to consider the Commission's subscription service as an alternative. The subscription service sends individual notifications to each subscriber of formal e-filings tendered and accepted by the Commission. Notices sent through subscription service are less likely to be flagged by spam or other

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<sup>9</sup> The form to request additions and changes to the Service list may be found at <https://www.cpsc.ca.gov/-/media/cpsc-website/divisions/administrative-law-judge-division/documents/additiontoservicelisttranscriptordercompliant.pdf>

filters. Notifications can be for a specific proceeding, a range of documents and daily or weekly digests.

**11. Receiving Electronic Service from the Commission**

Parties and other persons on the Service List are advised that it is the responsibility of each person or entity on the service list for Commission proceedings to ensure their ability to receive emails from the Commission. Please add “@cpuc.ca.gov” to your email safe sender list and update your email screening practices, settings and filters to ensure receipt of emails from the Commission.

**12. Assignment of Proceeding**

Alice Reynolds is the assigned commissioner and Carolyn Sisto and David Van Dyken are the assigned ALJs and presiding officers for this proceeding.

**IT IS RULED** that:

1. The scope of this proceeding is described above and is adopted.
2. The schedule of this proceeding is set forth above and is adopted.
3. The procedural schedule described above may be edited if the assigned Administrative Law Judges or Commissioner determine a change is necessary.
4. The presiding officers are Carolyn Sisto and David Van Dyken.
5. Evidentiary hearing may be needed.
6. The category of the proceeding is quasi--legislative.

Dated March 28, 2024, at San Francisco, California.

/s/ ALICE REYNOLDS

Alice Reynolds  
Assigned Commissioner