

COM/KDL/cg7 04/02/2025



FILED

04/02/25

09:08 AM

C2501004

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

KAZARIAN BROS LLC, a California
limited liability company, SWEAT
EQUITY 3 LLC, a California limited
liability company,

Complainants,

vs.

Case 25-01-004

Southern California Edison Company
(U388E),

Defendant.

ASSIGNED COMMISSIONER'S SCOPING MEMO AND RULING

This scoping memo and ruling (scoping memo) 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 California Public Utilities Commission's (Commission) Rules of Practice and Procedure (Rules).

1. Background

On January 10, 2025, Kazarian Bros LLC and Sweat Equity 3 LLC (Complainants) filed this Complaint against Southern California Edison Company (Defendant). The complaint alleges that Defendant unilaterally decided to hold Kazarian Bros LLC responsible for the unpaid electric bill of the former tenant, Alondra's Alhambra, LLC, at 517 - 519 W. Main Street, Alhambra, California. The unpaid electric bill is \$156,108.56. Complainants seek a

determination that neither Kazarian Bros LLC nor Sweat Equity 3 LLC should be held responsible for the unpaid electric bill prior to its leasing of the premises. Complainants also seek a refund of the amount that Kazarian Bros LLC has been required to pay on the unpaid electric bill for prior usage.

A prehearing conference was held on March 12, 2025 to determine the need for hearing, set the schedule for resolving the matter, and address other matters as necessary. After considering the complaint, answer, and discussion at the prehearing conference, I have determined the issues and initial schedule of the proceeding to be set forth in this scoping memo.

2. Issues

The issues to be determined or otherwise considered are:

1. Does the Complaint adequately state a claim upon which the Commission can grant relief, as required for the filing of a complaint pursuant to Rule 4.1 of the Commission's Rules of Practice and Procedure and Pub. Util. Code 1702?
2. If so, should Complainants be held jointly and severally liable for the unpaid electric bill balance due at the business property?
3. Are Complainants entitled to any relief for previous payments made on the unpaid electric bill balance due at the business property?

3. Need for Evidentiary Hearing

At the prehearing conference, Complainants and Defendant each stated that hearings are necessary. At this time, I determine that hearings are needed. However, the need for hearings will be revisited after the submission of testimony and a joint statement to determine what material issues remain in dispute requiring evidentiary hearing.

4. Schedule

The following schedule is adopted here and may be modified by the Administrative Law Judge (ALJ) as required to promote the efficient and fair resolution of the Complaint.

EVENT	DATE
Deadline to Complete Discovery	May 23, 2025
Prepared Testimony served	June 20, 2025
Prepared Rebuttal Testimony served	July 11, 2025
Joint Statement stating whether Evidentiary Hearings are necessary and if so, providing lists of (1) all disputed material facts, (2) all witnesses and for each witness, the disputed material facts to which the witness will testify, and (3) direct and cross-examination estimate times for each witness a party proposes to conduct direct examination and cross-examination	July 23, 2025
Motions to Admit Testimony and Documents into Evidence (if no Evidentiary Hearings are needed)	July 30, 2025
Evidentiary Hearings	August 26-27, 2025 Via WebEx
Opening Briefs due	TBD (based on whether hearings are needed)
Reply Briefs due	TBD (based on whether hearings are needed)

This proceeding will stand submitted upon the filing of reply briefs, unless the assigned ALJ requires further evidence or argument. Based on this schedule, the proceeding will be resolved within 12 months from the issuance of this scoping memo as required by Pub. Util. Code Section 1701.2(i).

5. Alternative Dispute Resolution (ADR) Program and Settlements

The Commission's Alternative Dispute Resolution (ADR) program offers mediation, early neutral evaluation, and facilitation services, and uses ALJs who have been trained as neutrals. At the parties' request, the assigned ALJ can refer this proceeding to the Commission's ADR Coordinator. Additional ADR information is available on the Commission's website.¹

Any settlement between parties, whether regarding all or some of the issues, shall comply with Article 12 of the Rules and shall be served in writing. Such settlements shall include a complete explanation of the settlement and a complete explanation of why it is reasonable in light of the whole record, consistent with the law and in the public interest. The proposing parties bear the burden of proof as to whether the settlement should be adopted by the Commission.

6. Categorization of Proceeding and Ex Parte Restrictions

The Commission determined in the Instructions to Answer, issued on January 23, 2025, that the category of the proceeding is adjudicatory. This scoping memo confirms the categorization. Accordingly, *ex parte* communications are prohibited pursuant to Pub. Util. Code Section 1701.2(c) and Article 8 of the Commission's Rules of Practice and Procedure.

7. 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

¹ <https://www.cpuc.ca.gov/PUC/adr/>

“Add Public Comment” button on the “Public Comment” tab of the online docket card for the proceeding.

8. 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 <https://www.cpuc.ca.gov/about-cpuc/divisions/news-and-public-information-office/public-advisors-office> 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.

9. 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 ALJ. Persons may become a party pursuant to Rule 1.4.

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 with one exception, that all parties are excused from the Rule 1.10 requirement to serve on the ALJ both the electronic and paper copy of filed or served documents. Therefore, when serving documents on Commissioners, their personal advisors, and the ALJ, parties must only provide electronic service, unless otherwise instructed by the ALJ. 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.

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

10. 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.

11. Discovery

Discovery may be conducted by the parties consistent with Article 10 of the Commission’s Rules of Practice and Procedure. Any party issuing or responding to a discovery request shall serve a copy of the request or response simultaneously on all parties. Electronic service under Rule 1.10 is sufficient, except Rule 1.10(e) does not apply to the service of discovery and discovery shall not be served on the ALJ. Deadlines for responses may be determined by the parties.

