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A2412010

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Southern California Edison Company (U338E) for Approval under Public Utilities Code Section 851 for the Sale of Its Irwindale Business Center Property.

Application 24-12-010

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 California Public Utilities Commission's (Commission) Rules of Practice and Procedure (Rules).¹

1. Procedural Background

On December 20, 2024, Southern California Edison Company (SCE) filed the instant application for authorization to sell its Irwindale Business Center Property² (Property) to Arakelian Enterprises, Inc. pursuant to an Agreement of Purchase and Sale dated October 22, 2024. On March 3, 2025, SCE filed its proof of Rule 3.2 compliance providing notice customers.

A prehearing conference (PHC) was held on March 7, 2025 to address the issues of law and fact, determine the need for hearing, set the schedule for

¹ Any future reference to Rule refers to the Commission's Rules of Practice and Procedure, unless otherwise stated.

² The Irwindale Business Center Property is located at 4777 Irwindale Avenue, Irwindale, CA 91706.

resolving the matter, and address other matters as necessary. No other party besides SCE participated in the PHC, filed any statement, or raised any issues.

After considering the application and discussion at the PHC, I have determined the issues and initial schedule of the proceeding to be set forth in this scoping memo. I have also determined that no Environmental and Social Justice (ESJ) issues have been raised at this time.

2. Issues

The issues to be determined or otherwise considered are:

1. Should the Commission, under Pub. Util. Code Section 851, grant the proposed transaction between SCE and Arakelian Enterprises, Inc. which is subject to the terms and conditions of the purchase and sale agreement?
2. Is the proposed transaction in the public interest?
3. Should the Commission approve SCE's proposed ratemaking treatment of the sale of the Property?
4. Does the proposed sale of Property comply with the Commission's Tribal Land Transfer Policy?
5. Does the proposed sale of the Property have impacts on ESJ communities, including the extent to which proposed sale impacts achievement of any of the nine goals of the Commission's ESJ Action Plan?

2.1. Commission's Tribal Land Policy

Resolution E-5076, effective January 14, 2021, adopted Guidelines to Implement the Commission's Tribal Land Policy (Guidelines).³ When an investor owned utility (IOU) decides to dispose of real property, the Tribal Land Transfer Policy requires the IOU, before it submits a request for approval to the Commission, to notify any relevant Tribe or Tribes that it intends to dispose of

³ Commission Resolution E-5076, Appendix A.

the property.⁴ The Tribal Land Transfer Policy requires IOUs to (1) notify the appropriate local Native American Tribes of any proposed dispositions of utility-owned real property that are subject to Pub. Util. Code Section 851 and (2) to allow a certain time period for the Tribes to respond as to their interest in purchasing the subject real property.

Pursuant to the Guidelines, on November 2, 2023, SCE asked the Native American Heritage Commission (NAHC) to identify Tribes with potential ancestral interest in the Property.⁵ NAHC responded on December 5, 2023 with a list of identified Tribes.⁶ On December 12, 2023, SCE sent a letter to the contacts of each identified Tribe informing them of SCE's intent to sell the Property.⁷ SCE also sent follow-up letters to those Tribes on January 12, 2024.⁸

After the initial letters were sent, SCE was contacted by a person representing a Tribe who asked general questions about the Property, which SCE answered in a call. SCE had no further communication with that individual. SCE did not receive any requests for additional consultations and did not receive any offers to purchase the Property from any Tribe.

3. Need for Evidentiary Hearing

There are no issues of material disputed fact. No protest or comments on the application have been filed. There are no other parties to the proceeding and therefore no issues of material fact are in dispute. Accordingly, no evidentiary hearing is needed.

⁴ See Commission Resolution E-5076, at 64.

⁵ See Application at Appendix C.

⁶ See Application at Appendix D.

⁷ See Application at Appendix E.

⁸ See Application at Appendix F.

4. Schedule

This matter is submitted. The proposed decision is expected to be filed no later than 90 days from today for public review and comment pursuant to Pub. Util. Code Section 311(d) except that, if it grants the uncontested requested relief, public review and comment shall be waived pursuant to Rule 14.6(c)(2).

5. Category of Proceeding and Ex Parte Restrictions

This ruling confirms the Commission's preliminary determination that this is a ratesetting proceeding.⁹ Accordingly, ex parte communications are restricted and must be reported pursuant to Article 8 of the Rules.

6. Public Outreach

Pursuant to Pub. Util. Code Section 1711(a), where feasible and appropriate, before determining the scope of the proceeding, the Commission sought the participation of those likely to be affected, including those likely to derive benefit from, and those potentially subject to, a decision in this proceeding. This matter was noticed on the Commission's daily calendar. Where feasible and appropriate, this matter was incorporated into engagements conducted by the Commission's External Affairs Division with local governments and other interested parties.

Commission approval of this application would result in an increase to SCE's authorized base rate revenue requirement which would, in turn, change SCE's rates. In its application, SCE states that it provided a notice of its application to its customers as required by Pub. Util. Code Section 454. SCE

⁹ Resolution ALJ 176-3558.

reviewed a draft of its proposed customer notice with the Commission's Public Advisor Office.

7. Intervenor Compensation

Pursuant to Pub. Util. Code Section 1804(a)(1), a customer who intends to seek an award of compensation must file and serve a notice of intent to claim compensation by April 7, 2025, 30 days after the prehearing conference.

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 <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 email to 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 ALJ. Persons may become a party pursuant to Rule 1.4.¹⁰

¹⁰ The form to request additions and changes to the Service list may be found at <https://www.cpuc.ca.gov/-/media/cpuc-website/divisions/administrative-law-judge-division/documents/additiontoservicelisttranscriptordercompliant.pdf>

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. Pursuant to Rule 1.10, the assigned ALJ orders parties to provide service of filed documents by electronic means only.

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 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.

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

Darcie L. Houck is the assigned commissioner and David R. Van Dyken is the assigned ALJ 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. Evidentiary hearing is not needed.
4. The category of the proceeding is ratesetting.

Dated April 2, 2025, at San Francisco, California.

/s/ DARCIE L HOUCK

Darcie L. Houck
Assigned Commissioner