

COM/MBK/jds 5/01/2025



**FILED**

05/01/25

04:00 PM

R2501005

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

Order Instituting Rulemaking on  
Customer-Generated Renewables for  
Priority Communities.

Rulemaking 25-01-005

**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 under Public Utilities Code Section 1701.1 and Article 7 of the Commission's Rules of Practice and Procedure (Rules).

**1. Procedural Background**

On January 16, 2025, the Commission approved this Order Instituting Rulemaking (OIR) for four main purposes: 1) to implement Senate Bill 355 (Stats. 2023, Ch. 393) and consider other modifications to the Solar on Multifamily Affordable Housing (SOMAH) program; 2) to consider modifications to the Disadvantaged Communities Single-Family Affordable Solar Homes (DAC-SASH) program; 3) to consider modifications to and establish programmatic procedural oversight of Renewable Energy Self-Generation Bill Credit Transfer (RES-BCT) tariffs; and 4) to consider modifications to and establish programmatic procedural oversight of several small multi-jurisdictional utility (SMJUs) solar programs and tariffs.

A prehearing conference was held on April 7, 2025, to address the issues of law and fact, determine the need for a hearing, set the schedule for resolving the matter, and address other matters, as necessary. After considering parties'

comments on the OIR and the discussion at the prehearing conference, I have determined the issues and initial schedule of the proceeding, as set forth in this scoping memo.

## **2. Issues**

The issues to be determined or otherwise considered are:

### **Track 1: SOMAH, DAC-SASH program, and RES-BCT tariffs**

1. How should the Commission modify SOMAH to implement SB 355?
2. Should the Commission modify other aspects of SOMAH? If so, how?
3. Should the Commission modify the DAC-SASH program? If so, how?
4. Should the Commission establish basic programmatic elements for the large utilities' RES-BCT tariffs, including a methodology for allocating the remaining program capacity and any related utility cost recovery? If so, how?
5. Are the modifications and elements proposed in Track 1 consistent with the Commission's Environmental and Social Justice (ESJ) Action Plan and in furtherance of the objectives of the Governor's Executive Order N-5-24 issued on October 30, 2024?

**Track 2: SMJUs customer solar programs (excluding SOMAH) and customer generation tariffs**

6. Should the Commission adjust the customer generation tariffs and/or programs offered by the SMJUs to increase cost-effectiveness and participant benefits, as well as create alignment with the Commission's electric rate design principles?<sup>1</sup> If so, how?
7. Are the adjustments being considered in Track 2 consistent with the Commission's ESJ Action Plan and in furtherance of the objectives of the Governor's Executive Order N-5-24 issued on October 30, 2024?

---

<sup>1</sup> See, e.g., Decision (D.) 23-04-040 at Ordering Paragraph 1 (adopting the following electric rate design principles for Pacific Gas and Electric Company, Southern California Edison Company, and San Diego Gas & Electric Company:

- (a) All residential customers (including low-income customers and those who receive a medical baseline or discount) should have access to enough electricity to ensure that their essential needs are met at an affordable cost.
- (b) Rates should be based on marginal cost.
- (c) Rates should be based on cost causation.
- (d) Rates should encourage economically efficient (i) use of energy, (ii) reduction of greenhouse gas emissions, and (iii) electrification.
- (e) Rates should encourage customer behaviors that improve electric system reliability in an economically efficient manner.
- (f) Rates should encourage customer behaviors that optimize the use of existing grid infrastructure to reduce long-term electric system costs.
- (g) Customers should be able to understand their rates and rate incentives and should have options to manage their bills.
- (h) Rates should avoid cross subsidies that do not transparently and appropriately support explicit state policy goals.
- (i) Rate design should not be technology-specific and should avoid creating unintended cost-shifts.
- (j) Transitions to new rate structures should (i) include customer education and outreach that enhances customer understanding and acceptance of new rates, and (ii) minimize or appropriately consider the bill impacts associated with such transitions.

### 3. Need for Evidentiary Hearing

Some of the issues identified in Section 2 above are potentially contested material issues of fact. The assigned Administrative Law Judge (ALJ) will determine whether evidentiary hearings are needed and provide further instructions.

### 4. Schedule

The following schedule is adopted here and may be modified by the ALJ as required to promote the efficient and fair resolution of the rulemaking:

Event	Date
<b>Track 1: SOMAH, DAC-SASH program, and RES-BCT tariffs</b>	
Ruling Requesting Comments on Issue 1	Q2 2025
Ruling Requesting Comments on Issues 3 and 5	Q3 2025
Begin consideration of Issue 3	Q3 2025
Proposed Decision on Issue 1	Q3-Q4 2025
Final Decision on Issue 1	No earlier than 30 days
Begin consideration of Issues 2, 4, and 5	Q4 2025- Q1 2026
Proposed Decision(s)	TBD
Final Decision(s)	No earlier than 30 days after the Proposed Decision has been issued
<b>Track 2: SMJUs customer solar programs (excluding SOMAH) and customer generation tariffs</b>	
Energy Division circulates agenda, supporting documents, and workshop questions	Q3 2025

SMJU-led workshop to discuss SMJU programs and tariffs	Q3 2025
SMJUs file Workshop Report	Q3 2025
Ruling Requesting Comment on Workshop Report and other programmatic questions	Q3-Q4 2025
Proposed Decision(s)	TBD
Final Decision(s)	No later than 30 days after the Proposed Decision has issued

Based on this schedule, the proceeding will be resolved within 18 months as required by Public Utilities Code Section 1701.5.

#### **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.<sup>2</sup>

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.

---

<sup>2</sup> <https://www.cpuc.ca.gov/PUC/adr/>

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

This ruling confirms the Commission's preliminary determination<sup>3</sup> that this is a ratesetting proceeding. Accordingly, *ex parte* communications are restricted and must be reported pursuant to Article 8 of the Rules.

**7. Public Outreach**

Pursuant to Public Utilities 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.

In addition, the Commission served the Order Instituting Rulemaking/Investigation on the service lists of Rulemaking (R.) 14-07-002, R.20-05-012, R.17-07-007, and R.22-11-013; all community choice aggregators; and to the California Air Resources Board, California Energy Commission, and the Native American Heritage Commission (NAHC) and the tribal contacts list maintained by the NAHC.

**8. Intervenor Compensation**

Pursuant to Public Utilities 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 Wednesday, May 7, 2025, 30 days after the prehearing conference.

---

<sup>3</sup> OIR at 15.

## **9. 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.

## **10. 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](mailto:public.advisor@cpuc.ca.gov).

## **11. 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 under Rule 1.4.<sup>4</sup>

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

This proceeding will follow the electronic service protocol in Rule 1.10, with one exception, such that all parties are excused from Rule 1.10’s requirement to serve on the ALJ both an electronic and paper copy of filed or served documents. **Therefore, when serving documents on Commissioners,**

---

<sup>4</sup> 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>

**their personal advisors, and the ALJ, 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 a 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.

## **12. Receiving Electronic Service from the Commission**

Parties and others 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.

## **13. Assignment of Proceeding**

Matthew Baker is the assigned commissioner, and Robyn Purchia is the assigned ALJ and presiding officer for the 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 may be needed.
4. The presiding officer is Administrative Law Judge Robyn Purchia.
5. The category of the proceeding is ratesetting.

Dated May 1, 2025, at San Francisco, California.

/s/ MATTHEW BAKER

Matthew Baker  
Assigned Commissioner