



ALJ/ADR/abb 6/30/2025

FILED

06/30/25

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

01:14 PM

A2503001

Application of Southern California Edison (U 338-E) For Approval Under Public Utilities Code Section 851 To Sell The Lower Tule Hydroelectric Power Plant To Lower Tule Hydro LLC.

Application 25-03-001

**ADMINISTRATIVE LAW JUDGE'S RULING REGARDING
DOCUMENT ONLY EVIDENCE PROCESS AND BRIEFING SCHEDULE**

Summary

This Ruling provides the Document Only procedure and schedule to be utilized by all Parties entering evidence into the Application 25-03-001 proceeding record and filing briefs.

Background

Pursuant to ALJ Resolution 176-3561 issued on April 3, 2025, current Application (A.) 25-03-001 was categorized as a ratesetting proceeding.

A Prehearing Conference (PHC) was held on May 12, 2025, before Administrative Law Judge Andrea D. McGary, to address the issues of law and fact, determine the need for hearing, set the schedule for resolving the matter, and to address other matters as necessary. In advance of the PHC, Applicant Southern California Edison Company ("SCE") and the Public Advocates Office of the California Public Utilities Commission ("Cal Advocates") Parties filed a Joint PHC Statement on May 5, 2025. SCE and Cal Advocates indicated an

interest in waiver of evidentiary hearing in both their Joint PHC Statement and on the record during the PHC.¹

Pursuant to the June 30, 2025 *Assigned Commissioner's Scoping Memo And Ruling*, the logistics for resolution of this proceeding without evidentiary hearing, by document only evidence submission, and the briefing schedule were to be set forth in subsequent *Administrative Law Judge's Ruling Regarding Document Only Evidence Process And Briefing Schedule*.

RULING

After review of the Application (A.) 25-03-001 proceeding record, SCE and Cal Advocates' joint prehearing conference statements, and the *Assigned Commissioners' Scoping Memo and Ruling*, Good cause appearing, the Commission orders as follows:

1. Evidentiary Hearing:

- A) Admission of evidence into the A.25-03-001 record shall proceed by the Document Only process detailed in this Ruling.
- B) Any Party objecting to waiver of Evidentiary Hearing in this proceeding may do so by e-mail service and filing a Written Motion For Evidentiary Hearing on or before July 11, 2025. Any such Written Motion for Evidentiary Hearing must comply with Commission Rule 11.1 and include:
 - i. Memorandum of Points and Authorities
 - ii. Declaration
 - iii. Separate Statement of Each Disputed Material Fact for which the moving party asserts that an evidentiary hearing is required.

¹ See *Joint Prehearing Conference Statement of Southern California Edison (U 338-E) and The Public Advocates Office* (May 5, 2025) 2. See also *Reporter's Transcript of May 12, 2025, Prehearing Conference Virtual Proceeding* (May 19, 2025) (PHC Transcript) at 8:14-25.

2. Document Only Evidence Submission:

- A) Disclosure of Exhibits (July 22, 2025): Each Party sponsoring exhibits shall meet and confer and serve a list of proposed Exhibits, including the Exhibit Number, Name, simple Description, and Bates Range of each exhibit, no later than July 22, 2025. The proposed Exhibit List should include links to the exhibit in the Commission's Supporting Documents database. Exhibits shall be pre-marked with an agreed short 3-4 letter acronym for the sponsoring party followed by sequential numbering utilizing the following schema:

0000-0099: Southern California Edison Company

0100-0199: Public Advocates Office of the California
Public Utilities Commission

**Exhibit Pre-Marking Exemplar: "Southern California Edison Company" pre-marked exhibit might begin with "SCE-0001" et seq.

- B) Stipulated Exhibits (August 4, 2025): The Parties shall prepare a list of stipulated exhibits for entry into the record of this proceeding without objection. The Parties shall e-mail serve and file a Joint Motion for Entry of Stipulated Exhibits on or before August 4, 2025.

The list of Stipulated Exhibits must be attached to the Joint Motion For Entry of Stipulated Exhibits and include the Exhibit Number, Name, simple Description, and Bates Range of each exhibit.

- C) Stipulated Material Facts (August 4, 2025): The Parties shall prepare a list of Stipulated Material Facts for entry into the record of this proceeding without objection. The Parties shall e-mail serve and file a Joint Motion for Entry of Stipulated Material Facts into the Record on or before August 4, 2025. The list of Stipulated Material Facts must be attached to the joint motion.

If all current record Parties agree, after meet and confer efforts, that 1) there are no material facts in dispute and 2) there are no material facts that require stipulation, the

Parties may file a "Joint Statement Re Material Facts" reflecting that there are no stipulated material facts in lieu of a "Motion for Entry of Stipulated Material Facts" on or before August 4, 2025.

***Exemplar: "Joint Statement Re Material Facts."

- D) Motions in Limine (August 4, 2025): To the extent that Parties cannot reach stipulation on a disclosed exhibit, motion in limine may be filed. All motions in limine must be in writing and e-mail served and filed on or before August 4, 2025. Prior to bringing a motion in limine, the moving Party must meet and confer with all pertinent Parties to attempt to resolve any objections to the subject evidence. Failure to meet and confer prior to bringing the motion in limine may result in denial of the motion.
- E) Opposition To Motions In Limine (August 15, 2025): Any opposition to a motion in limine must be in writing and e-mail served and filed on or before August 15, 2025.
- F) Final Exhibits and Final Exhibit List (August 29, 2025): After entry of ruling on any motion in limine, the Parties shall jointly complete a Final Exhibit List, including the Exhibit Number, Name, simple Description, and Bates Range of each Exhibit. Final Exhibits must be served and uploaded on or before August 29, 2025, as follows:
- i. Exhibit Preparation: Parties shall ensure that all exhibits are clean, correct, and final versions. Parties will pre-mark their prepared testimony exhibits so that it includes the exhibit number, proceeding number, name of sponsor/witness, and date(s) served (including revision dates). Partial documents or excerpts from documents must include a title page or first page from the source document. Excerpts from lengthy documents should include a table of contents page covering the excerpted material.
 - ii. Bates Labeling: 4-digit sequence. The pages of each Party's consecutive Exhibits shall be sequentially numbered from beginning to end at the bottom right-

hand corner (Bates Numbering) and the Parties must cite to Bates-stamped page numbers in their Briefs. Bates Numbering can either be done in the Adobe PDF itself starting at the first page of the document using the Adobe Tools/Stamp/Bates Numbering functions or the Bates Numbering can be handwritten or labeled at the bottom right-hand corner of the page.

- iii. Exhibit Circulation: Final Exhibits must be served electronically to the service list and uploaded to Supporting Documents using the Electronic Filing System on the Commission's website pursuant to Rule 13.7 (f) of the Commission Rules of Practice & Procedure. All Exhibits must comply with the requirements of Rule 13.7. The Parties shall also lodge a writable Microsoft Word version of the Final Exhibit List with the Commission by e-mail to Administrative Law Judge Andrea D. McGary.
3. Opening Briefs (September 15, 2025): Concurrent Opening Briefs must be e-mail served and filed on or before September 15, 2025.
4. Reply Briefs (October 10, 2025): Concurrent Reply Briefs must be e-mail served and filed on or before October 10, 2025.

If necessary, the Commission may modify these instructions as needed to facilitate efficient resolution of the proceeding.

IT IS SO ORDERED

Dated June 30, 2025, at San Francisco, California.

/s/ ANDREA D. MCGARY
Andrea D. McGary
Administrative Law Judge