



COM/MBK/avs 7/3/2025

FILED

07/03/25
12:52 PM

A2501008

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of California Water Service Company (U60W) for authority to voluntarily revoke its certificate of public convenience and necessity for its Millerton District and related relief.

Application 25-01-008

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

1. Procedural Background

On January 28, 2025, California Water Service Company (Cal Water or Applicant) submitted an Application for authority to voluntarily revoke its certificate of public convenience and necessity (CPCN) for its Millerton District and related relief (Application) to the California Public Utilities Commission (Commission).¹ Cal Water requested authority to voluntarily revoke its CPCN for constructing and operating public utility water and wastewater systems in its Millerton District located near Friant, CA, in Madera County, and to be relieved of any public utility responsibilities related to that district.²

¹ [Application of California Water Service Company](#) (U60W) for authority to voluntarily revoke its certificate of public convenience and necessity for its Millerton District and related relief (Application), filed January 28, 2025.

² Application at 1.

Less than 4 years prior, on August 8, 2021, the Commission granted Cal Water's request for a CPCN to provide public utility service to customers in a new, master-planned, mixed-use development called the Preserve at Millerton.³ Those customers were to become Cal Water's ratepayers in its Millerton District.

On March 7, 2025, the Administrative Law Judge (ALJ) issued a Ruling directing Cal Water to file additional information with respect to this Application to voluntarily revoke its Commission granted CPCN. On March 17, 2025, Cal Water filed a response to the ALJ inquiry.

On April 9, 2025, the ALJ issued a Second Ruling directing the filing of additional information. On April 15, 2025, Cal Water filed a motion requesting an extension of time to file its response until May 28, 2025. On April 16, 2025, an Assistant Chief ALJ filed an e-mail ruling granting the motion for an extension in time. On May 28, 2025, Cal Water filed its response to the ALJ ruling.

A prehearing conference (PHC) was held on May 8, 2025, to address issues of law and fact, determine the need for hearing, set the schedule for resolving the matter, and address other matters as necessary. The PHC was held at the same time as the PHC for Application (A.) 25-02-016, North Millerton Water Company's application for a CPCN in the very same territory this instant Application requests to voluntarily revoke.⁴ Applications 25-01-008 and

³ Decision 21-08-007, issued August 9, 2021, at 2.

When completed, the development's water and wastewater system was expected to serve 1,100 customers.

⁴ A.25-02-016: In the Matter of Application of North Millerton Water Company, LLC for a Certificate of Public Convenience and Necessity to Construct a Public Utility Water System Near Friant, CA in Madera County and to Establish Rates for Service.

A. 25-02-016 overlap considerably with regards to law and fact, which necessitated discussion and consideration of the possibility of consolidating the two requests into a single docket.

After deliberating upon the robust discussion about consolidation that occurred at the PHC, it is more efficient to handle the two cases independently even though they may have sequential interdependence.⁵ These cases will not be consolidated. Each case will move forward individually.

Considering Cal Water's filings and the discussion at the PHC, I have determined the issues and initial schedule of the proceeding to be set forth in this scoping memo. Additionally, based on the discussion at the PHC, I have also determined that no environmental and social justice issues, or safety issues, have been raised at this time.

There were no protests to this application.

2. Issues

The issues to be determined or otherwise considered are:

1. Whether Cal Water may voluntarily revoke its Commission granted certificate of public convenience and necessity for constructing and operating public utility water and wastewater systems in its Millerton District located near Friant, CA in Madera County and, accordingly, be relieved of any public utility responsibilities to that district.
2. Whether and how granting a voluntary CPCN revocation impacts Cal Water's existing ratepayers.

3. Need for Evidentiary Hearing

There are no issues of material disputed fact. Accordingly, no evidentiary hearing is needed.

⁵ Transcript, at 46 ln 24 – 49 ln 19.

4. Schedule

This matter will be submitted after the ALJ reviews the record, including all of the information requested, and determines that there is no additional information required. If a need for additional information arises, a ruling will be issued by the ALJ, identifying the additional information required and by when the information must be submitted. Should material facts subsequently be in dispute, the ALJ may modify the schedule, including scheduling of evidentiary hearings, as necessary. A proposed decision is expected to be filed no later than 90 days from the date of submission of the case, and, 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 determination⁶ that this is a ratesetting proceeding. Accordingly, ex parte communications are restricted and must be reported pursuant to Article 8 of the Rules.

6. 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.

⁶ Resolution ALJ 176-3559, filed February 20, 2025. Application at 4.

7. 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 June 7, 2025, 30 days after the PHC.

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 e-mail 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 with the Commission’s Process office, the service list, and the ALJ. Persons may become a party pursuant to Rule 1.4.⁷

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

⁷ 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>

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. Rule 1.10 requires service on the ALJ of both an electronic and a paper copy of filed or served documents but in this case, the ALJ waives all paper copy filing requirements. Parties must only provide electronic service on the ALJ.

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 e-mail screening practices, settings and filters to ensure receipt of e-mails from the Commission.

12. Assignment of Proceeding

Commissioner Matthew Baker is the assigned commissioner, and Jamie Ormond is the assigned ALJ 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 is not needed.
4. The category of the proceeding is ratesetting.

Dated July 3, 2025, at San Francisco, California.

/s/ MATTHEW BAKER

Matthew Baker
Assigned Commissioner