



BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA

FILED

09/23/25

04:59 PM

C2509018

Jessie Rios and Ronald Keith Plemons,

Complainants,

vs.

Pacific Gas and Electric Company (U39E),

Defendant.

Case No. (C.) _____

Complaint
(Rule 4.2)

COMPLAINANTS	DEFENDANT
Jessie Rios and Ronald Keith Plemons Attn: Sher A. Beard, Esq. High Sierra Law P.O. Box 311 Auberry, CA 93602 T: 559-492-9690 Email: sher@highsierralaw.com	Pacific Gas and Electric Company (U39E) Attn: Cliff Gleicher, Managing Counsel 300 Lakeside Drive Oakland, CA 94612 T: 415-971-2678 E-mail 1: Cliff.Gleicher@pge.com E-mail 2: pgetariffs@pge.com

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

(A)

JESSIE RIOS AND RONALD KEITH PLEMONS

COMPLAINANT(S)

VS.

(B)

PACIFIC GAS AND ELECTRIC COMPANY (U39E)

DEFENDANT(S)

(Include Utility "U-Number", if known)

(for Commission use only)

(C)

Have you tried to resolve this matter informally with the Commission's Consumer Affairs staff?

☐ YES

☒ NO

Has staff responded to your complaint?

☐ YES

☒ NO

Did you appeal to the Consumer Affairs Manager?

☐ YES

☒ NO

Do you have money on deposit with the Commission?

☐ YES

☒ NO

Amount \$ _____

Is your service now disconnected?

☐ YES

☒ NO

COMPLAINT

(D)

The complaint of (Provide name, address and phone number for each complainant)

Name of Complainant(s)	Address	Daytime Phone Number
Jessie Rios	525 Whitecliff Dr. Vallejo, CA 94589	(415) 265-5600
Ronald Keith Plemons	525 Whitecliff Dr. Vallejo, CA 94589	(415) 265-5600

respectfully shows that:

(E)

Defendant(s) (Provide name, address and phone number for each defendant)

Name of Defendant(s)	Address	Daytime Phone Number
Pacific Gas and Electric Company	77 Beale Street, San Francisco, CA 94105	(415) 973-6976

(F)

Explain fully and clearly the details of your complaint. (Attach additional pages if necessary and any supporting documentation)

Please see attached Complaint, Section IV.

(G) Scoping Memo Information (Rule 4.2(a))

(1) The proposed category for the Complaint is (check one):

☒ adjudicatory (most complaints are adjudicatory unless they challenge the reasonableness of rates)

☐ ratesetting (check this box if your complaint challenges the reasonableness of a rates)

(2) Are hearings needed, (are there facts in dispute)? ☒ YES ☐ NO

(3) ☒ Regular Complaint ☐ Expedited Complaint

(4) The issues to be considered are (Example: The utility should refund the overbilled amount of \$78.00):

Please see attached Complaint, Section V.

- (5) The proposed schedule for resolving the complaint within 12 months (if categorized as adjudicatory) or 18 months (if categorized as ratesetting) is as follows:

Prehearing Conference: Approximately 30 to 40 days from the date of filing of the Complaint.

Hearing: Approximately 50 to 70 days from the date of filing of the Complaint.

Prehearing Conference (Example: 6/1/09):	11/03/2025
Hearing (Example: 7/1/09)	12/02/2025

Explain here if you propose a schedule different from the above guidelines.

(H)

Wherefore, complainant(s) request(s) an order: State clearly the exact relief desired. (Attach additional pages if necessary)

Please see attached Complaint, Section VI.

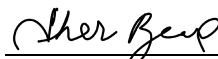
(I)

OPTIONAL: I/we would like to receive the answer and other filings of the defendant(s) and information and notices from the Commission by electronic mail (e-mail). My/our e-mail address(es) is/are:

sher@highsierralaw.com

(J)

Dated Auberry, California, this 23 day of September, 2025
(City) (date) (month) (year)




Signature of each complainant

(MUST ALSO SIGN VERIFICATION AND PRIVACY NOTICE)

(K)**REPRESENTATIVE'S INFORMATION:**

Provide name, address, telephone number, e-mail address (if consents to notifications by e-mail), and signature of representative, if any.

Name of Representative:	Sher A. Beard, Esq.
Address:	P.O. Box 311, Auberry, CA 93602
Telephone Number:	(559) 492-9690
E-mail:	sher@highsierralaw.com
Signature	

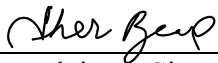
VERIFICATION
(For Individual or Partnerships)

I am (one of) the complainant(s) in the above-entitled matter; the statements in the foregoing document are true of my knowledge, except as to matters which are therein stated on information and belief, and as to those matters, I believe them to be true.

I declare under penalty of perjury that the foregoing is true and correct.

(L)

Executed on September 23, 2025, at Auberry, California
(date) (City)


(Complainant Signature)

VERIFICATION
(For a Corporation)

I am an officer of the complaining corporation herein, and am authorized to make this verification on its behalf. The statements in the foregoing document are true of my own knowledge, except as to the matters which are therein stated on information and belief, and as to those matters, I believe them to be true.

I declare under penalty of perjury that the foregoing is true and correct.

(M)

Executed on _____, at _____, California
(date) (City)

Signature of Officer

Title

(N) NUMBER OF COPIES NEEDED FOR FILING:

If you are filing your formal complaint on paper, then submit one (1) original, six (6) copies, plus one (1) copy for each named defendant. For example, if your formal complaint has one defendant, then you must submit a total of eight (8) copies (Rule 4.2(b)).

If you are filing your formal complaint electronically (visit <http://www.cpuc.ca.gov/PUC/efiling> for additional details), then you are not required to mail paper copies.

(O) Mail paper copies to: California Public Utilities Commission
Attn: Docket Office

505 Van Ness Avenue, Room 2001
San Francisco, CA 94102

PRIVACYNOTICE

This message is to inform you that the Docket Office of the California Public Utilities Commission ("CPUC") intends to file the above-referenced Formal Complaint electronically instead of in paper form as it was submitted.

Please Note: Whether or not your Formal Complaint is filed in paper form or electronically, Formal Complaints filed with the CPUC become a public record and may be posted on the CPUC's website. Therefore, any information you provide in the Formal Complaint, including, but not limited to, your name, address, city, state, zip code, telephone number, E-mail address and the facts of your case may be available on-line for later public viewing.

Having been so advised, the Undersigned hereby consents to the filing of the referenced complaint.



Signature

September 23, 2025

Date

Sher A. Beard

Print your name

Sher A. Beard (SBN 268719)
HIGH SIERRA LAW
P.O. Box 311
Auberry, CA 93602
Telephone: (559) 492-9690
Email: sher@highsierralaw.com

Attorney for Plaintiffs JESSIE RIOS and RONALD KEITH PLEMONS

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

JESSIE RIOS and RONALD KEITH
PLEMONS,

Complainants,

v.

PACIFIC GAS & ELECTRIC COMPANY,

Defendant.

I. INTRODUCTION

1. Complainants Jessie Rios and Ronald Keith Plemons own and reside at 525 Whitecliff Drive in Vallejo, California.

2. On March 6, 2025, PG&E contractors jumped Complainants' backyard fence, without notice nor permission, and completely removed two large, healthy, and mature coastal live oak trees.

3. PG&E's unlawful activities have significantly impacted the Complainants' private property.

4. PG&E denied the Complainants' claim and refuses to remediate the damage it has caused to Complainants and their property.

5. The Complainants have filed this Complaint due to PG&E's unreasonable vegetation management practices and its violations of statutory and regulatory law.

1 **II. COMPLAINANTS**

2 6. Jessie Rios and Ronald Keith Plemons are property owners in the County of
3 Solano, State of California and are Pacific Gas and Electric Company customers.

4 **III. DEFENDANT**

5 7. PG&E is a California domestic stock corporation regulated by the California
6 Public Utilities Commission ("CPUC"). PG&E is a "public utility" subject to the jurisdiction of
7 the CPUC. (Public Utilities Code, § 216(a)).

8 **IV. DETAILS OF COMPLAINT**

9 8. The Complainants incorporate and re-assert paragraphs 1 through 7 of this
10 Complaint herein.

11 9. The manner in which PG&E conducted its inspection and tree removal in this
12 matter violates California statutory and regulatory law. This includes, but is not limited to,
13 unreasonable, excessive, and negligent removal of more of the Complainants' trees than was
14 necessary to protect PG&E's infrastructure.

15 10. Prior to March 6, 2025, PG&E's contractor (Aeri Tree), improperly, incorrectly,
16 and unreasonably inspected and marked the Complainants' two coastal live oak trees for removal
17 without physically inspecting the trees and verifying their location.

18 11. PG&E has admitted that Aeri Tree inspected the trees visually from far below the
19 Complainants' neighboring property (1208 Del Mar) and approved the trees for removal without
20 verifying which property address the trees were located on.

21 12. According to PG&E, the manner in which Aeri Tree marked the trees at issue,
22 made them appear as though they were located on the 1208 Del Mar property.

23 13. As a result, while Core Tree Care was executing vegetation management orders at
24 the 1208 Del Mar property on March 6, 2025, PG&E's contractor chose to jump the fence
25 separating Complainants' property from the 1208 Del Mar property and cut down the two trees
26 on the Complainants' property, even though the trees were clearly located on the Complainants'
27 property and not on the 1208 Del Mar property that PG&E had obtained permission to access.

28 14. As a result PG&E's contractor (Core Tree Care), trespassed onto the

1 Complainants' property, without the required right of entry, and cut down two mature coastal
2 live oak trees that are perceived to be located outside of the five-foot utility easement.

3 15. Even if a portion of the he coastal live oak trees at issue are determined to be
4 located within the utility easement, the trees could have been reasonably trimmed or topped to
5 mitigate any hazard to PG&E's infrastructure.

6 16. PG&E had direct access to the Complainants' cell phone numbers and never made
7 an attempt to notify them of their intent to remove the trees at issue.

8 17. Following the incident, PG&E's own vegetation managers, Michael Runyon and
9 Daniel Hoffman informed Complainants that the trees at issue were marked and removed by
10 mistake and in error.

11 18. PG&E also admitted that their contractors' behavior was unacceptable and that
12 the inspector and tree crew needed additional training.

13 V. ISSUES TO BE CONSIDERED

14 19. The manner in which PG&E conducted its inspection and tree removal activities
15 on the Complainants' property violated multiple statutory and regulatory provisions of California
16 Law. The investigation is on-going, and the Complainant reserves the right to amend this formal
17 complaint as new information becomes known.

18 1. Jurisdiction

19 20. The CPUC is authorized to hold PG&E accountable for the many violations of
20 law PG&E committed on the Complainants' property. "The commission may supervise and
21 regulate every public utility in the State and may do all things, whether specifically designated in
22 this part or in addition thereto, which are necessary and convenient in the exercise of such power
23 and jurisdiction." (Public Utilities Code § 701.)

24 21. "[C]hallenges to PG&E's tree trimming as unreasonable, unnecessary, or
25 excessive lie within the exclusive jurisdiction of the [California Public Utilities] [C]ommission to
26 decide." *Sarale v. Pacific Gas and Electric Company* (2010) 189 Cal.App.4th 225, 231.

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1 **B. PG&E's Violations of Law**

2 22. The Complainants request that the CPUC determine that PG&E's conduct was
3 unnecessary, improper, and unreasonable and order the relief that the Complainants request
4 herein below.

5 **1. Violation of Pub. Utl Code Section 702; CPUC Gen. Orders 95 and 165**

6 23. PG&E is required to comply with the rules and orders promulgated by the CPUC
7 pursuant to Public Utilities Code Section 702. PG&E failed to comply with CPUC General Order
8 95 when it excessively, unreasonably, and unnecessarily cut down and removed the two trees at
9 issue on the Complainants' property.

10 **2. Violation of General Order 95**

11 24. PG&E violated GO 95, Rule 35, pertaining to vegetation management. Rule 35
12 "demands certain vegetation management activities be performed in order to establish necessary
13 and reasonable clearances." Here, however, PG&E went **considerably further** than establishing
14 "**necessary and reasonable** clearances", and PG&E has provided no authority to support that its
15 removal of two healthy, mature and live green trees was necessary or reasonable.

16 25. Per General Order 95, Rule 35, the Complainants' property only required an 18-
17 inch clearance between vegetation and high-voltage conductors (750 volts to 22,500 volts). The
18 two trees in question could have easily been trimmed or topped to satisfy the 18-inch
19 requirement and did not need to be completely removed.

20 26. The Complainants' property is not located in a High Fire-Threat District and is
21 not located within a State Responsibility Area (SRA).

22 27. Furthermore, Rule 35 does not create an exemption to compliance with other
23 applicable laws. PG&E has no authority under Rule 35 to trespass onto private property outside
24 its easement area to fell trees (see, Exception 2 to Rule 35, "Rule 35 requirements do not apply
25 where the utility has made a "good faith" effort to obtain permission to trim or remove
26 vegetation but permission was refused or unobtainable. A "good faith" effort shall consist of
27 current documentation of a minimum of an attempted personal contact and a written
28 communication, including documentation of mailing or delivery . . .")

1 28. PG&E did not make a good faith effort attempt to obtain permission from the
2 Complainants and therefore Rule 35 requirements apply making PG&E liable for trespass.

3 **VI. RELIEF REQUESTED**

4 29. The Complainant requests a hearing on the merits of this complaint and/or
5 requests a hearing on this matter upon motion of the CPUC pursuant to Public Utilities Code
6 Section 705.

7 30. The Complainant seeks an Order from the CPUC finding PG&E's complete
8 removal of the two trees on Complainant's property was unreasonable.

9 31. The Complainant seeks an Order from the CPUC finding PG&E's complete
10 removal of the two trees on Complainant's property was excessive.

11 32. The Complainant seeks an Order from the CPUC finding PG&E's complete
12 removal of the two trees on Complainant's property was unnecessary.

13 DATED: September 23, 2025

HIGH SIERRA LAW

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15
16 By: *Sher Beard*
17 Sher A. Beard
18 Attorney for Complainants
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