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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

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.

Application 25-02-016

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 February 14, 2025, North Millerton Water Company, LLC (North Millerton or Applicant), filed an Application to the California Public Utilities Commission (Commission) for a Certificate of Public Convenience and Necessity (CPCN) to construct a public utility water system near Friant, CA in Madera County, and to establish rates for service (Application).¹ The Preserve at

¹ 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 (Application), filed February 14, 2025.

Millerton (Preserve) is a 2,100 acre, 1,800-unit master-planned, mixed-use community approved by the Madera County Board of Supervisors in 2008.²

On April 18, 2025, the assigned Administrative Law Judge (ALJ) directed North Millerton to file additional information. On April 21, 2025, North Millerton was granted an extension of time to respond until May 5, 2025.

On May 8, 2025, the ALJ held a prehearing conference (PHC) in this docket at the same time as the PHC in the Application of California Water Service Company (Cal Water) to voluntarily revoke its Commission-granted Millerton District CPCN.^{3,4} These applications were not consolidated.

On May 8, 2025, the ALJ directed North Millerton to file an Amended Application and Supplemental Responses to questions posed at the PHC. On July 10, 2025, the ALJ granted North Millerton's request for additional time to file its Amended Application.

On August 1, 2025, North Millerton filed an Amended Application requesting authority for a CPCN to serve the Preserve. On August 12, 2025, the ALJ set a date for a second PHC, on September 30, 2025, to address the issues of law and fact, determine the need for hearing, set the schedule for resolving the matter, and address other matters as necessary.

² Application at 1.

³ Commission issued Decision (D.) 21-08-007, granting a CPCN to the California Water Service Company (U-60-W) (Cal Water) for the Millerton District.

⁴ *See*, Application of California Water Service Company (U-60-W) for authority to voluntarily revoke its certificate of public convenience and necessity for its Millerton District and related relief, Application 25-01-008. Although the two Applications contained considerable overlap of law and fact, after discussion and deliberation, the cases were not consolidated and each proceeding moved forward independently.

On October 9, 2025, the Commission authorized Cal Water's voluntary revocation of its CPCN for its Millerton District, pursuant to its Application.⁵ Currently, there is no CPCN-holding public utility eligible to serve customers at The Preserve.

After considering the Amended Application, discussion at the second PHC, and written responses to questions posed there, 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 issues have been raised at this time.

2. Issues

The issues to be determined or otherwise considered are:

1. Whether the Commission should grant a CPCN to North Millerton water company pursuant to Public Utilities (Pub. Util.) Code Section 1001.
2. Whether North Millerton has the technical and financial means to, over an extended period, provide safe, reliable, water and waste water service to customers,
3. Whether North Millerton's proposed rates are just and reasonable pursuant to Pub. Util. Code Section 451.

3. Need for Evidentiary Hearing

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

4. Schedule

This matter will be submitted upon review of responses to rulings requesting additional information and a determination that no further information or evidence is needed to evaluate the issues in this proceeding.

⁵ D.25-10-006: Decision Revoking The Certificate Of Public Convenience And Necessity For California Water Service Company's Millerton District, issued Oct. 14. 2025.

The proposed decision is expected to be filed no later than 90 days from the date the proceeding is submitted, 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 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 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.

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 *[date]*, 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

⁶ Res. ALJ 176-3561, February 14, 2025.

“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 1-866-849-8390 or 1-866-836-7825 (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 1.4.⁷

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. Rule 1.10, requiring service on the ALJ of both an electronic and a paper copy of filed or served documents, is hereby waived; only electronic copies of filed or served documents are required.

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>.

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

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.

This order is effective today.

Dated November 12, 2025, at San Francisco, California.

/s/ MATTHEW BAKER

Matthew Baker
Assigned Commissioner