

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



FILED

11/19/25

04:20 PM

A2505016

In the Matter of the Joint Application of
Platinum Equity Capital Partners IV, L.P. and
SCRS Intermediate Holding Corporation,
Requesting Expedited Approval of Indirect
Transfer of Control of Securus Technologies,
LLC (U-6888-C) Pursuant to California Public
Utilities Code Section 854(a)

Application 25-05-016

**APPLICANTS' RESPONSE TO THE UTILITY REFORM
NETWORK'S MOTION FOR EVIDENTIARY HEARINGS**

Paul C. Besozzi
Squire Patton Boggs (US) LLP
2550 M Street, NW
Washington, DC 20037
Tel. (202) 457-5292
Fax. (202) 457-6315
Email: paul.besozzi@squirepb.com

*Attorneys for Platinum Equity Capital
Partners IV, L.P.*

Thaila K. Sundaresan
David Huang
DAVIS WRIGHT TREMAINE LLP
50 California Street, 23rd Floor
San Francisco, CA 94111
Tel. (415) 276-6500
Fax. (415) 276-6599
Email: thailasundaresan@dwt.com
Email: davidhuang@dwt.com

*Attorneys for SCRS Intermediate Holding
Corporation*

Dated: November 19, 2025

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

In the Matter of the Joint Application of
Platinum Equity Capital Partners IV, L.P. and
SCRS Intermediate Holding Corporation,
Requesting Expedited Approval of Indirect
Transfer of Control of Securus Technologies,
LLC (U-6888-C) Pursuant to California Public
Utilities Code Section 854(a)

Application 25-05-016

**APPLICANTS' RESPONSE TO THE UTILITY REFORM
NETWORK'S MOTION FOR EVIDENTIARY HEARINGS**

I. INTRODUCTION

Pursuant to Rule 11.1(e) of the California Public Utilities Commission's ("Commission") Rules of Practice and Procedure and Administrative Law Judge ("ALJ") Clark's e-mail ruling on November 7, 2025, Platinum Equity Capital Partners IV, L.P. ("Platinum") and SCRS Intermediate Holding Corporation ("SCRS Intermediate HC") (together, "Applicants") submit this Response to The Utility Reform Network's ("TURN") Motion for Evidentiary Hearings ("TURN's Motion").

TURN's Motion should be denied because it fails to enumerate any disputed issues of material fact within the scope of this proceeding. TURN fails to identify contested assertions, representations, or claims that can be subject to cross-examination or redirect in an evidentiary hearing. Instead, TURN's argument for evidentiary hearings rests on the erroneous assertion that Applicants have not provided sufficient evidence in this proceeding. As detailed further below, whether Applicants have provided sufficient evidence in this proceeding is not a dispute rooted in material fact; instead, like other issues that TURN has identified in its Case Management Statement, it is a legal determination left for the Commission. The Commission's precedent is

clear that evidentiary hearings are appropriate only where there are disputed issues of material fact. TURN's Motion identified none.

II. TURN FAILS TO MEET THE LEGAL STANDARD TO JUSTIFY EVIDENTIARY HEARINGS

The Commission has permitted parties to this proceeding to file motions for evidentiary hearings by identifying the specific disputed issues of material fact.¹ This guidance is consistent with prior Commission directives, which require that “there must be disputed issues of material fact in order to merit a hearing.”²

TURN's Motion fails to meet this standard. Rather than enumerating disputed facts, TURN argues that the Commission should hold evidentiary hearings because “the record lacks sufficient material facts.”³ However as explained in Section III below, the alleged insufficiency of evidence is not itself a disputed fact, but rather a legal issue that does not justify a hearing. Thus, as it has done routinely in the past,⁴ the Commission should deny TURN's Motion for its failure to identify material issues of disputed fact.

¹ Scoping Ruling at 3-4, 6.

² D.04-05-033 at 11 (citing *Georgia-Pacific Corp. v. U.S. Env'tl. Prot. Agency*, 671, F.2d 1235, 1241 (9th Cir. 1982); *see also* D.20-03-019, p.25 (“[I]f a contesting party asserts that a hearing is required by law, the party must provide appropriate citation and specify the materially contested facts”); *ALJ's Ruling Denying Motion for Evidentiary Hearing*, A.22-04-008 (Mar. 19, 2024), at 2 (“Evidentiary hearing is held to resolve material disputed issues of fact that are in the scope of the proceeding.”); *see, e.g., Assigned Commissioner's Scoping Memo and Ruling*, A.24-09-007 (bypassing evidentiary hearings because the Assigned Commissioner found no issues of material fact in dispute).

³ TURN's Motion at 6.

⁴ *See, e.g., ALJ's Ruling Denying Motion for Evidentiary Hearing*, A.22-04-008 (Mar. 19, 2024), at 2 (denying motion for evidentiary hearing on the basis that the movant failed to raise any material disputed issues of fact) and D.07-03-047 at 7 (finding that denial of Roseville Land Development Association's motion for evidentiary hearing was justified because Roseville had not “established the existence of material disputed facts that requires evidentiary hearings”).

TURN characterizes the evidentiary hearing process as an opportunity to interrogate Applicants on “factual assertions.”⁵ Notably, however, TURN fails to list a single factual assertion put forward in Applicants’ filed testimony and pleadings that TURN seeks to debunk through cross-examination and redirect. Neither TURN’s Motion, nor its Case Management Statement presents any factual disputes; and in fact, TURN asserts that it needs additional information on identified “disputed facts.”⁶ The Commission should take notice of this omission as a clear indication that there are no disputed material facts in this proceeding.

Moreover, the logic behind TURN’s Motion is contradictory. TURN cannot on one hand plausibly assert that there are material disputed facts while at the same time proclaiming that it lacks sufficient information regarding topics material to this proceeding. Indeed, TURN’s complaints of insufficient information fall flat given TURN has propounded five data requests on Applicants, to which Applicants have promptly responded.⁷

III. TURN’S ALLEGED DISPUTED ISSUES ARE LEGAL ARGUMENTS, NOT FACTUAL ISSUES

At the outset, Applicants dispute TURN’s position that Applicants have not provided sufficient evidence in this proceeding to permit the Commission’s Public Utilities Code Section 854(a) review.⁸ Applicants have submitted a substantively complete and accurate Section 854(a) application with the Commission. In instances where the Commission has requested additional

⁵ TURN’s Motion at 6.

⁶ *Case Management Statement of The Utility Reform Network*, A.25-05-016 (Nov. 12, 2025), at 2.

⁷ TURN has filed a motion to compel discovery regarding TURN Data Request 4.4. Applicants plan to timely respond to this motion.

⁸ TURN’s Motion at 4-6.

information to assist its review and consideration of this Application through ALJ Rulings,⁹ Applicants have timely responded to such rulings.¹⁰

TURN's claim that Applicants have not provided "sufficient" evidence is a legal argument left for the Commission's determination, *not* a factual dispute. The Commission is empowered to determine whether the record supports approval, but this determination does not require an evidentiary hearing absent material factual disagreement.¹¹

TURN's Motion and Case Management Statement raise various issues of *law* that have either been addressed in the Scoping Ruling (and thus should be dismissed outright) or should be addressed in briefs, if at all.¹² Specifically, the "Scope" and "Jurisdiction" issues articulated in TURN's Case Management Statement have already been addressed in the Scoping Ruling, and as such, should be dismissed.¹³ Additionally, TURN's Motion and Case Management Statement raise several legal issues that are appropriately addressed in briefs, to the extent they are within

⁹ See Prehearing Conference Transcript, A.25-05-016 at 8:2-5, 15:20-16:12, 22:4-8, 22:10-14 (issuing ALJ Ruling from the bench, seeking supplemental information); *ALJ's Ruling Requesting Additional Information*, A.25-05-016 (Oct. 8, 2025); *ALJ's Ruling Requesting Additional Information*, A.25-05-016 (Nov. 12, 2025).

¹⁰ In the most recent instance, on November 12, 2025, ALJ Clark issued a ruling requesting follow-up information from Applicants regarding Applicants' response to a prior ALJ data request. Applicants are currently developing a response to the November 12 ALJ Ruling for timely submission by November 24, 2025.

¹¹ D.07-03-047 at 7 ("First, no statute, rule, regulation or decision requires the Commission to hold an evidentiary hearing, and Roseville cites no statute or law requiring the Commission to do so. Nor is an evidentiary hearing required where the factual issues raised are not material to the application, or where the issues can be resolved on the basis of the administrative record, albeit paper, before the Commission.").

¹² See *ALJ's Ruling Denying Motion for Evidentiary Hearing*, A.22-04-008 (Mar. 19, 2024), at 2 (finding that issues that are not disputed issues of fact would be appropriate for briefing, as opposed to evidentiary hearing).

¹³ Furthermore, contrary to TURN's Motion and Case Management Statement, Applicants do not dispute the Commission's authority to consider public interest and the imposition of conditions in resolving Section 854(a) applications, nor, more generally, the Commission's jurisdictional authority to review this transaction.

scope of this proceeding: (1) interpretation of D.13-05-035;¹⁴ (2) scope of the Commission’s financial competency review;¹⁵ (3) whether conditions are needed to meet the public interest standard under Section 854(a);¹⁶ and (4) whether the ESJ Action Plan 2.0 necessitates the Commission’s examination of “Securus’ rates, prices and practices that impact affordability.”¹⁷

IV. CONCLUSION

TURN has failed to identify any material issues of disputed fact that warrant an evidentiary hearing. Thus, granting TURN's Motion would not resolve any genuine factual disputes, but would only burden the Commission and the parties with unnecessary process and result in potential delay. The Commission should deny TURN's Motion and resolve any remaining legal issues through briefing, to the extent needed.

Respectfully submitted,

/s/

Paul C. Besozzi
Squire Patton Boggs (US) LLP
2550 M Street, NW
Washington, DC 20037
Tel. (202) 457-5292
Fax. (202) 457-6315
Email: paul.besozzi@squirepb.com

*Attorneys for Platinum Equity Capital
Partners IV, L.P.*

/s/
Thaila Sundaresan
David Huang
DAVIS WRIGHT TREMAINE LLP
50 California Street, 23rd Floor
San Francisco, CA 94111
Tel. (415) 276-6500
Fax. (415) 276-6599
Email: thailasundaresan@dwt.com
Email: davidhuang@dwt.com

Attorneys for SCRS Intermediate Holding Corporation

Dated: November 19, 2025

¹⁴ TURN's Motion at 4; TURN Case Management Statement at 3.

¹⁵ TURN's Case Management Statement at 4.

16 *Id.*

¹⁷ *Id.* at 5.