

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE
STATE OF CALIFORNIA

ADMINISTRATIVE LAW JUDGE DEBBIE CHIV, presiding

Ikigai Hot Springs LLC,)	PREHEARING
)	CONFERENCE
Complainant,)	
)	
Vs.)	Case
)	25-05-005
California Hot Springs Water and Sewer)	
Service (U240W),)	
)	
Defendant.)	



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VIRTUAL PROCEEDING

DECEMBER 18, 2025 - 10:05 A.M.

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ADMINISTRATIVE LAW JUDGE CHIV: Good morning.

This is the time and place for the prehearing conference for Complaint 25-05-005, Ikigai Hot Springs, LLC, versus California Hot Springs Water and Sewer Service.

Today is Thursday, December 18th, 2025, at 10:05 a.m. I am Administrative Law Judge Debbie Chiv, and I am the assigned ALJ in this proceeding. The assigned commissioner is Commissioner John Reynolds, who could not join us today; but his advisor, Eddie Schmitt, is attending.

The purpose of today's prehearing conference is to discuss the scope of the proceeding, the schedule, need for hearings, the category, and any other remaining issues. We will not make determinations today on these topics, and the assigned commissioner will make them in a scoping memo forthcoming.

Before we begin, I want to remind parties we have a court reporter here, so please speak slowly and clearly for the benefit of the court reporter and for a clear transcript. Please do not speak over one another, and please do not speak until called upon to speak.

Are there any initial questions before we get

1 started?

2 MR. PREONAS: No, your Honor. This is -- this
3 is Steve Preonas for Ikigai.

4 I just wanted to let the court know that the
5 parties have been, you know, discussing this matter
6 pretty extensively over the last week or so, and our --
7 you know, trying to develop a -- a framework for a
8 resolution; and, you know, I would suggest that perhaps
9 we -- we put this pretrial conference over like 30 days
10 and see if some headway can be made with respect to
11 that, and then come back to you if -- if -- if we're not
12 able to make the progress that we feel like we are going
13 to make.

14 MR. MEYER: Hey, Stephen?

15 MR. PREONAS: Yeah?

16 MR. MEYER: I -- I agree with this -- this is
17 Bertram speaking -- on a number of matters, but not with
18 regards to the West Spring Bridge, where we have a
19 dangerous asset. We have, in the meantime, submitted a
20 structural engineer's report to the CPUC documenting the
21 unsafety (sic) and the emergency situation we have.

22 ALJ CHIV: Okay. Let me interrupt for a second
23 here. Let's -- we can get into this, at least some of
24 it, in a moment; but let me first go through -- let's
25 first do formal appearances.

1 MR. PREONAS: Yes. Good morning, your Honor.
2 It's Steve Preonas. I'm here for Ikigai, the
3 complainant.

4 ALJ CHIV: Thank you.

5 Mr. Fox?

6 MR. FOX: Good morning, your Honor. Josh Fox
7 for defendant.

8 ALJ CHIV: Thank you.

9 Mr. Meyer, did you want to identify yourself?

10 MR. MEYER: Bertram Meyer, here as a manager of
11 the complainant, Ikigai.

12 ALJ CHIV: Okay. Thank you.

13 Okay. So it sounds -- okay. So I guess one
14 question is whether the parties are -- I guess what is
15 the ask, Mr. Preonas?

16 MR. PREONAS: Well, the ask would be to put
17 this over for -- for 30 days; but also to, you know,
18 order that Ikigai can undertake action to install the
19 bridge.

20 ALJ CHIV: Okay. I would say let's just move
21 forward with at least what we can cover in this
22 prehearing conference, because part of the issues, which
23 we can discuss, is I think there's a threshold question
24 of what falls under Commission jurisdiction, and I know
25 that there -- I recognize that there's been a motion

1 filed by Ikigai, but the first step in these complaint
2 proceedings is to issue a scoping memo in which the
3 Commission determines what falls within the scope of the
4 proceeding, and we have not been able to do that in this
5 case because this is now the third rescheduled
6 prehearing conference.

7 MR. PREONAS: Okay. Let's -- we can -- we can
8 go forward, then, your Honor.

9 ALJ CHIV: Okay. That would be my
10 recommendation here.

11 Okay. I will note that I issued a ruling
12 requesting a joint PHC statement. That was due
13 October 31st. I did not receive it on October 31st;
14 it -- and at that time, it became apparent that counsel
15 for defendant or complainant were not on the service
16 list for this proceeding.

17 I issued another ruling requesting the joint
18 PHC statement to be submitted by December 5th. So
19 instead, I've received two joint PHC statements. One
20 was submitted on November 5th (sic) and one was
21 December 10th.

22 So it looks to me that those are the same
23 statements, but can someone confirm that?

24 MR. PREONAS: Those are the same statements,
25 your Honor. I had an issue. It was a rejected filing

1 from the -- December 5th, that was re-filed on
2 December 10th, based upon there not being -- I don't
3 know why it was rejected, to be honest; but it was -- it
4 said that the rejection was on calendar, the proof of
5 service. Those documents are the same.

6 ALJ CHIV: Okay. Thank you.

7 And even if something gets rejected for --
8 sometimes they're rejected for technicalities. If
9 it's -- just make sure that it's served to the service
10 list. At least then everybody has it and any
11 deficiencies can be made on the back end and that's not
12 an issue.

13 MR. PREONAS: Okay.

14 ALJ CHIV: Okay. So let's discuss the scope of
15 issues for this proceeding.

16 So looking at that joint PHC statement, there
17 were numerous issues that Ikigai outlined. In
18 particular, I'll just summarize: Issues with the West
19 Springs Bridge, the safe operation of the water system,
20 the safe operation of sewer services, system
21 abandonment, unpaid obligations under the 2022 transfer
22 agreement, and the transfer agreement's obligation to
23 transfer.

24 California Hot Springs, in that same PHC
25 statement, identifies that the issues to be addressed

1 are whether these issues were raised in the complaint
2 and the extent to which the Commission possesses
3 jurisdiction over matters in the complaint.

4 So in reviewing Ikigai's proposed scope, Ikigai
5 cites the violation notices issued by other
6 jurisdictions.

7 MR. MEYER: Yes.

8 ALJ CHIV: For example, the Tulare -- Tulare
9 County has issued a violation notice and is levying
10 fines for the West Springs Bridge, and there may be a
11 breach of Tulare County's salt program, and that the
12 State Water Resources Board indicated deficiencies.

13 So first, I agree with defendant that some of
14 these claims were not addressed in the complaint and are
15 being addressed for the first time in the joint
16 statement; and per Rule 4.1, 4.2, the complaint must be
17 drawn as to completely advise the defendant of the facts
18 constituting the grounds for the complaint or the injury
19 complained of, and the exact relief desired.

20 So do -- does anyone want to comment on that?

21 MR. MEYER: Well, I would like to just state
22 that this is an ongoing relationship between, number
23 one, a public utility, and number two, a customer of
24 such utility for both water and sewer services, and a
25 landowner on which the utility operates under a

1 not-further-detailed easement; and the situation keeps
2 evolving even after the complaint has been failed --
3 filed.

4 The complaint has been filed because the system
5 is not managed in a compliant way, the infrastructure is
6 not safe, and the system has been abandoned; and the
7 concrete evidence for that evolves over the time since
8 filing the complaints.

9 There was a sewer leak, there was inspections
10 by the Water Board, there were tons of communications,
11 there was a structural assessment of the West Spring
12 Bridge; but these are all just evidences of the system
13 not being operated in a safe and compliant way and there
14 currently not being any operator on-site, and so issues
15 raised with not being remedied, and these are all
16 examples of that.

17 ALJ CHIV: Okay. I understand that. The
18 complaint does not have to identify all the evidence or
19 facts that you're aware of now; but if you read Rule 4.1
20 or 4.2, it must give the defendant enough information as
21 to the grounds of the complaint.

22 Your -- the current complaint is pretty cursory
23 in terms of what is being alleged, so I do agree that --
24 in -- in terms of what's in the joint prehearing
25 conference statement versus what's in the complaint,

1 there's far more detail in there.

2 So one thing I would suggest is -- or I
3 guess -- I guess the question I would put to, maybe,
4 Mr. Preonas is, does the complainant intend to amend
5 their complaint?

6 MR. PREONAS: I -- I -- I will need to take
7 another look at it. I mean, we believe that the
8 complaint as drafted is broad enough to include a lot of
9 these issues.

10 MR. MEYER: But yes, we can amend it and put
11 what we have in the prehearing statement into the
12 complaint.

13 MR. PREONAS: I think that might be -- I mean,
14 it sounds to me like you disagree that the complaint as
15 drafted is broad enough to include these issues; and if
16 that's the case, then we would request leave to -- to
17 file an amended complaint.

18 ALJ CHIV: Okay. And in doing so, how much
19 time would you need to amend the complaint?

20 MR. PREONAS: Just -- just based upon my --
21 maybe 30 days?

22 MR. MEYER: Can I ask a question just to
23 understand?

24 Do we need to amend the complaint to address
25 the safety issue that the West Springs Bridge

1 represents? In which case, we'll just amend it within a
2 week or two and file an amended complaint by the end of
3 this year. What we are interested in is not having a
4 catastrophe happen.

5 ALJ CHIV: So the complaint -- you can have
6 whatever you want in your complaint; but what I'm
7 noticing is that in the joint prehearing conference
8 statement, there's quite a bit of detail outlined as to
9 what -- you know, what you would like in the scope of
10 this proceeding; and then if you look at your complaint,
11 there's a few sentences there.

12 So if you would like those issues to be scoped
13 into this proceeding, that -- those need to be in the
14 complaint to comply with the rules of the Commission.

15 MR. MEYER: Great. We'll -- we'll add them to
16 the complaint.

17 ALJ CHIV: Okay. And if you are to file an
18 amended complaint, then the defendant would have an
19 opportunity to answer the amended complaint.

20 MR. MEYER: Sure.

21 ALJ CHIV: Mr. Fox, do you have any comments on
22 this?

23 MR. FOX: No -- no comment or objection,
24 ALJ Chiv.

25 ALJ CHIV: Okay. I think once we have that

1 completed, then we can scope this proceeding with some
2 of the issues -- well, let me get to that.

3 So in terms of -- I will go through now what I
4 believe would be a proposed scope of issues even though
5 I -- we don't have the amended complaint yet. I do have
6 a concern similar to what the defendant has stated,
7 which is what of -- which of these allegations fall
8 under the Commission's jurisdiction.

9 Under Rule 4.1(a), the complaint must identify
10 the Commission order, rule, or law that the defendant
11 has alleged, and then the burden is upon the complaint
12 to prove that the defendant has violated such a rule.

13 MR. MEYER: Well, I mean, I agree that we need
14 to refile the complaint, and yet it feels evident to me
15 that the utility has a legal obligation to operate in a
16 safe and compliant way, and it is without doubt that
17 it's not compliant.

18 It hasn't filed annual reports, it hasn't
19 abided by fix-it requests by the Water Board that had
20 explicit deadlines, it is operating unsafe
21 infrastructure. There is a long litany of cases that
22 make it very clear that it's neither compliant or safe,
23 and the Water Board has explicitly --

24 ALJ CHIV: Mr. Meyer --

25 MR. MEYER: Yes? Sorry, your Honor.

1 ALJ CHIV: If -- if I may, I understand
2 there's -- as you've laid out in the statement, there's,
3 maybe, a host of violation notices out there; but as you
4 just stated, some of those have come from the State
5 Water Board, some of them have come from Tulare County,
6 so it's unclear to me at this time what jurisdiction
7 those violations fall under.

8 I'm not saying that -- I'm not saying you
9 have -- you don't have recourse, but it may not be -- it
10 may be the entity that filed the violation notice. So
11 before we can --

12 MR. MEYER: I -- I hear that, and I am sorry.
13 We are the customers that are drinking the water; and if
14 the Water Board finds the water to be unsafe and the
15 water infrastructure to be unsafe, we're the primary
16 party that is damaged, not the Water Board, because
17 they're not drinking the water.

18 Not even the defendant is drinking the water.
19 We're drinking the water. Me and my daughter are
20 drinking the water; so I'm not understanding how the
21 PUC, who is responsible for the provision of safe
22 drinking water, could deny our right to seek remedy when
23 we're not being provided with safe drinking water when
24 that is the number one mandate the water division of the
25 PUC has.

1 ALJ CHIV: If that is your -- if that's the
2 allegation you want to make, then put that in the
3 complaint, and --

4 MR. MEYER: It -- it was. We -- we -- we wrote
5 in the complaint that it is not providing safe drinking
6 water, and it is not operating in a compliant way, and
7 compliance also means safety.

8 ALJ CHIV: So I'm going to go through what I --
9 I see as a proposed scope of issues; and number one
10 would be does the complaint adequately state a -- a
11 claim upon which the Commission can grant relief as
12 required for the filing of a complaint pursuant to
13 Commission Rule 4.1 and 4.2;

14 Number two, if the answer is yes to any of
15 the -- the claims, should the Commission schedule
16 hearings and/or grant the relief requested;

17 Number three, if the answer is no to all of the
18 claims, should the complaint be dismissed without
19 hearings.

20 That would be my proposed scope, but I
21 recognize that we still need to see specifically the
22 allegations that you would like to make and give the
23 defendant an opportunity to respond.

24 MR. MEYER: Okay. Now, my understanding was
25 that a pending complaint allows any of the parties to

1 make motions. We made an emergency motion because we
2 have a structural engineering report and County findings
3 that determine that West Springs Bridge is not safe to
4 operate.

5 We have provided that to the PUC. The County
6 has had a call with the PUC, and we have filed an
7 emergency motion. The defendant has themselves stated
8 in their own filing to the Commission and to this
9 process -- and I quote -- as noted in defendant's
10 response to the complaint, defendant does not object to
11 Ikigai's private project, provided that costs are not
12 unfairly passed to the company when they should be borne
13 by the party that benefits.

14 Now, we are clearly not on the same page
15 whether it's a private project that the utility is
16 operating, an unsafe, unpermitted structure, and is
17 actually plucking the repair thereof, but Ikigai --

18 ALJ CHIV: Mr. Meyer?

19 MR. MEYER: Yes?

20 ALJ CHIV: So at this time, we're not going to
21 get into the merits of the motion; but I recognize that
22 a motion has been filed; but at this time, we cannot
23 consider the motion until we know what falls within the
24 scope of this proceeding.

25 This is the first step of the way the formal

1 complaint process works. In -- if you need interim
2 relief, I would consider one of the multiple agencies
3 you noted in that motion that have issued violation
4 notices to California Hot Springs. That is one avenue
5 you can take while we're trying to scope this
6 proceeding.

7 (Crosstalk.)

8 MR. MEYER: -- relief?

9 ALJ CHIV: Excuse me?

10 MR. MEYER: How can these agencies grant relief
11 that you're -- that you're quoting?

12 ALJ CHIV: I don't -- I'm not getting into the
13 merits of that -- of the motion because we have not yet
14 scoped the issues in this proceeding.

15 And I'd like to say that we should have already
16 scoped the issues in this proceeding, but this is the
17 third time we've rescheduled this prehearing conference.
18 The first one was set for July 22nd, it was
19 rescheduled --

20 MR. MEYER: I know, and the defendant didn't
21 appear, so I'm sorry for that, but it was outside of our
22 control.

23 ALJ CHIV: Yes, I understand.

24 And the second prehearing conference was in
25 September, and counsel for defendant and complainant

1 agreed to delay the hearing because defendant was filing
2 a motion for leave to late-file his answer.

3 So here we are, and we -- I would like to move
4 forward in trying to get this proceeding scoped. I know
5 it may be frustrating, but this is the -- this is
6 procedurally what is required of these proceedings.

7 MR. MEYER: Okay. Well, we -- we'll do what we
8 can and we'll file an amended complaint this year and
9 list out all the issues.

10 And we just want to, again, be on the record if
11 something happens with the bridge, it is not Ikigai's
12 responsibility. It has identified it, raised it with
13 all agencies, including the utility, and it's -- we
14 are -- we're prohibited from actually addressing it,
15 repairing it, or replacing it, so we're declining all
16 liability.

17 ALJ CHIV: Okay. Mr. Fox, do you have any
18 comments on the scope of issues before I move on to the
19 next item?

20 MR. FOX: No. I think that that, kind of,
21 order of operations makes sense as it was laid out by --
22 by the ALJ, so no other comment.

23 ALJ CHIV: Okay. Thank you.

24 And just so we're clear, if -- so once we do
25 receive -- I think after this prehearing conference, I

1 will issue a ruling kind of laying out the -- the steps
2 in which Ikigai can file an amended complaint; and then
3 following that and a period for an answer, a scoping
4 memo will be issued.

5 So next I'll turn to the category of this
6 proceeding and the need for hearings. The instructions
7 to answer which were issued on June 3rd, 2025,
8 categorized this rulemaking as adjudicatory.
9 Complainant agrees that the categorization should also
10 be adjudicatory.

11 Does any party have any comment on this
12 categorization?

13 (No response.)

14 ALJ CHIV: Hearing none, let's move on to
15 hearings.

16 Complainant requests that a hearing be
17 conducted in this proceeding. Defendant states that the
18 complaint was insufficient and implicates subjects
19 outside of the Commission's jurisdiction.

20 So it sounds like, Mr. Fox, you were saying
21 hearings would not be necessary? Are there any comments
22 on this?

23 MR. FOX: In terms of -- I -- I think once we
24 go through the scoping process, we'll -- we'll have a
25 better idea of whether there's anything that, in our

1 view, necessitates a hearing, if that makes sense.

2 ALJ CHIV: Yes.

3 I would also recommend that we should await --
4 so once we do a proposed scope of issues about
5 jurisdiction and -- a subsequent -- subsequent ruling
6 will go out to determine whether hearings are needed.

7 Mr. Preonas, Mr. Meyer, do you have any
8 comments on that?

9 MR. MEYER: No, I don't. Thank you, your
10 Honor.

11 ALJ CHIV: Okay. So I will discuss these
12 issues with the assigned commissioner following this
13 prehearing conference.

14 So moving on next to the schedule, we've
15 already discussed this somewhat. So it sounds like
16 following this prehearing conference, I will issue a
17 ruling allowing the complainant to file an amended
18 answer within 30 days, at which time defendant will file
19 a reply to the amended answer.

20 And, Mr. Fox, how much time would you need to
21 do an amended answer?

22 MR. FOX: Answering the amended complaint,
23 it's -- it's -- it's tough for me to know until we see
24 it; but I would just request the normally allotted time
25 by the -- by the rules. I don't know that offhand. I

1 believe the ALJ probably does.

2 ALJ CHIV: Yes.

3 The initial is 20 days from the -- that was
4 the -- the initial answer timeframe.

5 MR. FOX: We would just request that same time.

6 ALJ CHIV: Okay. Okay. Are there any other
7 comments on the schedule?

8 MR. PREONAS: No, your Honor.

9 MR. MEYER: No, thank you.

10 ALJ CHIV: The last item is we discussed the
11 alternative dispute resolution, ADR process, at the last
12 prehearing conference; but I just want to remind parties
13 that this process is available, and I think I already
14 laid out how you can go about requesting that if you're
15 interested.

16 MR. MEYER: We have, you know, requested that
17 privately to the opposing counsel on both the civil and
18 the -- the PUC or the ALJ proceedings here, but we have
19 not heard back with regards to any ADR in front of the
20 PUC proceedings.

21 ALJ CHIV: Okay. Thank you.

22 MR. FOX: Yes, and I did speak with counsel for
23 Ikigai immediately preceding this hearing regarding, you
24 know, the -- the substance of potential informal
25 resolution; and we'll continue those efforts, and we

1 will reach out if we agree that it's -- that it makes
2 sense to do that in terms of mediation assistance or
3 something like that.

4 ALJ CHIV: Okay. Thank you.

5 Well, that was my agenda today. Are there any
6 other issues the parties wanted to raise at this time?

7 MR. PREONAS: No, your Honor.

8 MR. MEYER: No. No, your Honor.

9 MR. FOX: No, thank you.

10 ALJ CHIV: Okay. Hearing none, thank you for
11 attending and participating at today's prehearing
12 conference. We are adjourned.

13 (At the hour of 10:32 a.m., this matter
14 having been concluded, the Commission then
15 adjourned.)

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BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE
STATE OF CALIFORNIA

CERTIFICATION OF TRANSCRIPT OF PROCEEDING

I, RHONDA NORBERG, CERTIFIED SHORTHAND REPORTER
NO. 9265, IN AND FOR THE STATE OF CALIFORNIA, DO
HEREBY CERTIFY THAT THE PAGES OF THIS TRANSCRIPT
PREPARED BY ME COMPRISE A FULL, TRUE, AND CORRECT
TRANSCRIPT OF THE TESTIMONY AND PROCEEDINGS HELD IN
THIS MATTER ON DECEMBER 18, 2025.

I FURTHER CERTIFY THAT I HAVE NO INTEREST IN THE
EVENTS OF THE MATTER OR THE OUTCOME OF THE PROCEEDING.
EXECUTED THIS DECEMBER 24, 2025.



Rhonda Norberg
CSR NO. 9265

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