



COM/JR5/nd3 1/26/2026

FILED

01/26/26

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

11:16 AM

A2510010

Application of Liberty Utilities
(CalPeco Electric) LLC (U933E) for
Authority to Update Rates Pursuant to
its Energy Cost Adjustment Clause
and its California Climate Credit,
Effective January 1, 2026.

Application 25-10-010

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

1. Procedural Background

On October 21, 2025, Liberty Utilities LLC (Liberty) filed this Application for authority to update rates pursuant to its Energy Cost Adjustment Clause (ECAC) and its California Climate Credit to be effective January 1, 2026. On November 24, 2025, the Public Advocates Office at the California Public Utilities Commission (Cal Advocates) filed a timely protest and A-3 Customer Coalition (A-3) filed a timely response to the Application.

A prehearing conference was held on January 7, 2026 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. After considering the Application, the protest and response parties filed, and discussion at the prehearing conference, 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 in this proceeding are:

1. What the reasonable ECAC billing rate is.
 - a. Whether the requested 2026 ECAC revenue requirement of \$53.865 million is reasonable.
 - b. Whether the 2026 forecasted purchased power revenue requirement of \$37.842 million is reasonable.
 - c. What the reasonable ECAC offset rate is.
 - d. What the reasonable ECAC Balancing rate is.
 - e. Whether the proposed amortization of the \$32.047 million in under-collected balance in Liberty ECAC Balancing Account is reasonable.
2. Whether Liberty's 2025 forecast of greenhouse gas (GHG) revenues and expenses and proposals are reasonable, including
 - a. GHG allowance revenues,
 - b. GHG allowance revenue for clean energy and energy efficiency programs,
 - c. Forecasted GHG administration and customer outreach expenditures, and
 - d. Liberty's proposed GHG rates.
3. Whether Liberty's forecasted 2026 California Climate Credit for eligible residential and small commercial customers is reasonable.

3. Need for Evidentiary Hearing

The issues in this proceeding are potentially contested, material issues of fact. Accordingly, we will allow parties to present evidence on these issues and evidentiary hearings are needed.

4. Schedule

The following schedule is adopted here and may be modified by the Administrative Law Judge (ALJ) as required to promote the efficient and fair resolution of the application:

EVENT	DATE
Intervenor testimony served	March 13, 2026
Rebuttal testimony served	April 3, 2026
Meet and Confer Report	April 24, 2026
Evidentiary hearing or Joint Motion to Enter Exhibits into Evidence	May 19-21, 2026
Opening briefs filed	June 10, 2026
Reply briefs filed (<i>matter submitted</i>)	June 24, 2026
Proposed decision	3 rd Quarter of 2026

Pursuant to Rule 13.9, the parties shall meet and confer no later than 10 calendar days after the submission of rebuttal testimony. The purpose of the meet and confer is to ascertain whether the parties stipulate to the receipt of prepared testimony into evidence without direct or cross examination or whether an evidentiary hearing is still needed. After the meet and confer, the parties shall jointly file and serve a Report of the Meet and Confer by May 1, 2026, identifying agreements reached and unresolved issues requiring hearing.

The proceeding will stand submitted upon the filing of reply briefs, unless the ALJ requires further evidence or argument. Based on this schedule, the

proceeding will be resolved within 18 months as required by Pub. Util. Code Section 1701.5.

5. Alternative Dispute Resolution Program and Settlements

The Commission's Alternative Dispute Resolution (ADR) program offers mediation, early neutral evaluation, and facilitation services, and uses ALJs who have been trained as neutrals. At the parties' request, the assigned ALJ can refer this proceeding to the Commission's ADR Coordinator. Additional ADR information is available on the Commission's website.¹

Any settlement between parties, whether regarding all or some of the issues, shall comply with Article 12 of the Rules and shall be served in writing. Such settlements shall include a complete explanation of the settlement and a complete explanation of why it is reasonable in light of the whole record, consistent with the law and in the public interest. The proposing parties bear the burden of proof as to whether the settlement should be adopted by the Commission.

6. Category of Proceeding and Ex Parte Restrictions

This ruling confirms the Commission's preliminary determination² that this is a ratesetting proceeding. Accordingly, *ex parte* communications are restricted and must be reported pursuant to Article 8 of the Rules.

7. 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

¹ <https://www.cpuc.ca.gov/PUC/adr/>

² Resolution ALJ-176-3572 at 1.

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.

8. 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 Friday, February 6, 2026, 30 days after the prehearing conference.

9. 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.

10. 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 email to public.advisor@cpuc.ca.gov.

11. 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 1.4.³

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 requires service on the ALJ of both an electronic and a paper copy of filed or served documents, unless the ALJ orders otherwise. The assigned ALJ has provided specific instructions as to the service of filed or served documents at the prehearing conference.⁴

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

³ The form to request additions and changes to the Service list may be found at: <https://www.cpsc.ca.gov/-/media/cpsc-website/divisions/administrative-law-judge-divisions/documents/additiontoservicelisttranscriptordercompliant.pdf>

⁴ At the prehearing conference, the assigned ALJ requested two paper copies of any testimony served and one paper copy of any document filed that is over 20 pages.

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.

12. 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.

13. Assignment of Proceeding

John Reynolds is the assigned Commissioner and Elaine Lau is the assigned ALJ and presiding officer 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 needed.
4. The presiding officer is Administrative Law Judge Elaine Lau.
5. The category of the proceeding is ratesetting.

Dated January 26, 2026, at San Francisco, California.

/s/ JOHN REYNOLDS

John Reynolds
Assigned Commissioner