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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Kulbir Singh d/b/a Mood N Food,

Complainant,

vs.

Case 25-10-017

Pacific Gas and Electric Company
(U39E).

Defendant.

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. Background

On October 21, 2025 Mr. Kulbir Singh dba Mood N Food (Complainant) filed a complaint with the Commission against Pacific Gas and Electric Company (PG&E). The complaint alleges that in 2012 PG&E installed at Complainant's place of business, Mood N Food, an electric meter known as a SmartMeter, a patented system that would enable remote meter reading. Complainant alleges he was overcharged for electric service at his place of business for 12 years, from 2012 to 2024, during which time he complained repeatedly to PG&E that he was being overbilled and further requested that PG&E inspect the SmartMeter. In June 2024, PG&E inspected the SmartMeter, determined it was defective, and

promptly replaced it. The new SmartMeter also proved to be defective, so PG&E promptly replaced it again, with a working SmartMeter. Complainant requests a refund in the amount of \$92,038.00 plus interest from the date of each overpayment at the rate of 10% per annum.

PG&E answered the complaint and requests it be denied as it does not set forth any violation of a law, tariff, or Commission order or rule. After replacing the defective SmartMeter with a functioning SmartMeter PG&E issued Mr. Singh a refund of \$7,568.13 for the prior three years of billing overcharges from 2021-June 2024, pursuant to Electric Rule 17.1 tariff. Despite this adjustment Complainant seeks an additional \$92,038.00 for alleged overcharges dating back to 2012.

A prehearing conference (PHC) was held on January 30, 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 complaint and answer and discussion at the PHC, 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. Was Complainant overbilled for electricity supplied by PG&E from 2012 to June 2024?
2. Was PG&E on notice of the defective Smart Meter installed in 2012, and if so, when?
3. Is PG&E estopped from asserting the 3-year limitation on Complainant's claims as set forth in PG&E's Electric Rule 17.1 tariff?
4. Is an additional refund due to complainant?

5. If an additional refund is owing, what is the appropriate amount?

3. Need for Evidentiary Hearing

Each issue numbered above is a contested material issue of fact or law. 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 complaint:

Event	Date
Discovery Period Closes	April 30, 2026
Evidentiary Hearing Status Conference	May 26, 2026
Service (by e-mail) of any written testimony as well as evidentiary and hearing materials	June 30, 2026
In person Evidentiary Hearing CPUC 505 Van Ness Ave. San Francisco, CA 94102	July 8, 2026
Post-Hearing Opening Briefs due	21 days after close of evidence
Post-Hearing Reply Briefs due	14-days after Post-Hearing Opening Briefs served and filed

The purpose of the May 26, 2026 status conference is to discuss the upcoming evidentiary hearing, to receive updates from the parties regarding any settlement discussion or stipulations of fact or law, to discuss requirements for

the evidentiary hearing, the handling of witnesses and exhibits, the hearing schedule and to address other matters as necessary.

The proceeding will be 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 12 months as required by Public Utilities Code Section 1701.2(i).

5. Alternative Dispute Resolution (ADR) 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 considering the entire 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

The Commission determined that this is an adjudicatory proceeding. Accordingly, ex-parte communications are prohibited pursuant to Article 8 of the Rules.

¹ <https://www.cpuc.ca.gov/PUC/adr/>

7. 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 e-mail to public.advisor@cpuc.ca.gov.

8. 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 1.4.²

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, electronic service is sufficient and a paper copy is not necessary.

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.

² 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>

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.

9. 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.

10. Assignment of Proceeding

Commissioner Darcie L. Houck is the assigned commissioner and Theresa Moore 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 needed.
4. The presiding officer is Administrative Law Judge Theresa Moore.

5. The category of the proceeding is Adjudicatory.

Dated February 19, 2026, at San Francisco, California.

/s/ DARCIE L. HOUCK

Darcie L. Houck
Assigned Commissioner