

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE
STATE OF CALIFORNIA

COMMISSIONER MATTHEW BAKER, in attendance

ADMINISTRATIVE LAW JUDGE TREVOR PRATT, presiding

Application of PacifiCorp (U901E) for	)	PREHEARING
Authority to Recover Costs Recorded in	)	CONFERENCE
the Wildfire Expense Memorandum	)	
Account.	)	Application
	)	26-02-021

REPORTERS' TRANSCRIPT
Virtual Proceeding
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VIRTUAL PROCEEDING

MARCH 30, 2026 - 2:02 P.M.

* * * * *

ADMINISTRATIVE LAW JUDGE PRATT: Let's go on
the record.

This is virtual prehearing conference for
Application 26-02-021, held on February 27th, 2026, by
PacifiCorp to Recover Claims Costs and Legal Expenses
Associated with the Slater and McKinney Fires Recorded
in the Wildfire Expense Memorandum Account, Consistent
with Public Utilities Code Section 451.1.

I am Trevor Pratt, the administrative law judge
assigned to this proceeding. The assigned commissioner
Matthew Baker has joined today and has planned to give
some opening remarks.

Commissioner Baker?

COMMISSIONER BAKER: Thank you, Judge.

Can you hear and see me? Excellent.

Good afternoon. I am the assigned commissioner
for PacifiCorp's Application the Recover Costs Related
to the 2020 Slater Fire and 2022 McKinney Fire Recorded
in PacifiCorp's Wildlife (sic) Expense Memorandum
Account, or WEMA. This application requests the
authority to recover approximately 340 million claim
costs paid and legal costs incurred to resolve

1 third-party fundings and legal expenses arising from the
2 Slater and McKinney Fires.

3 In this application, PacifiCorp is requesting
4 to effectively raise rates by approximately 19 percent,
5 assuming a 15-year securitization, on PacifiCorp's
6 residential and commercial customers to pay for its WEMA
7 costs. PacifiCorp requests these costs be amortized
8 over at least five years, or securitized over a longer
9 period, which will be determined in a subsequent
10 proceeding. I take all rate increases seriously,
11 especially those as significant as is requested here.

12 In this case, the utility has the burden to
13 prove that it was a prudent manager and operator of its
14 infrastructure during the time of fire. I will evaluate
15 this application for cost recovery by balancing the
16 public interest and affordability while ensuring that
17 PacifiCorp can continue to maintain safe and reliable
18 utility service.

19 Finally, if there is agreement on key issues,
20 settlements can often be an efficient way to determine
21 what is just and reasonable and have been used in
22 previous wildfire recovery -- cost recovery cases. As a
23 result, I will work with Judge Pratt to dispose of any
24 such settlements in an efficient manner.

25 I will be following today's proceeding and

1 discussion with great interest. And I look forward to
2 working with all of you, as well as with Judge Pratt, on
3 the issues raised in this application. I will not be
4 able to stay on for the entire session today, but I will
5 stay as long as I can until my next appointment.

6 But, in the meantime, I want to thank all the
7 parties for their participation in today's prehearing
8 conference. And, with that, I'm going to turn it back
9 over to the judge now.

10 Thank you.

11 ALJ PRATT: Thank you, Commissioner Baker.

12 The purpose of this prehearing conference is to
13 discuss the issues in scope, schedule, and procedural
14 matters for this proceeding. As such, my agenda for
15 today is to: One, go over the service list; two,
16 discuss the categorization of this proceeding; three,
17 discuss the scope of issues; and, four, discuss the
18 schedule for the remainder of the proceeding, including
19 the need for hearings. Nothing will be decided today,
20 as these matters will be determined by the assigned
21 commissioner in an upcoming scoping ruling.

22 Since this prehearing conference is being held
23 virtually, I will remind parties and all attendees to
24 refrain from speaking, and mute your lines until I
25 direct you to speak.

1 First, let's turn to the service list. In
2 Commission proceedings, the applicant and those who have
3 filed protests or responses, are automatically added to
4 the service list. For each company or organization,
5 there will be one representative listed as the party.
6 All others will be listed as information only. The
7 Commission's public advocates office protested the
8 application, while the California Farm Bureau Federation
9 served a reply to the protest, and the Klamath Water
10 Users Association filed a motion for party status. Both
11 of which I will discuss momentarily. I will also give
12 members of the public an opportunity to request party
13 status Momentarily.

14 First, I will ask the applicant's
15 representative to please state their name and spell
16 their last name for the record.

17 Ms. Somogyi?

18 MS. SOMOGYI: (Line muted.)

19 THE REPORTER: We can't hear you, Ms. Somogyi.

20 ALJ PRATT: So, let's go off the record for a
21 second while we try to get that figured out.

22 (Off the record.)

23 ALJ PRATT: Okay. Let's go back on the record.
24 And please introduce yourself for the record.

25 MS. SOMOGYI: Thank you, your Honor.

1 Megan Somogyi, that's spelled S-o-m-o-g-y-i, for
2 PacifiCorp.

3 ALJ PRATT: Thank you. And now would the
4 representative for the Public Advocates Office please
5 introduce themselves?

6 MR. DUTTA: (Line muted.)

7 ALJ PRATT: And you're on mute.

8 MR. DUTTA: Okay. I've unmuted myself.
9 Can your Honor hear me?

10 Wonderful. I'm Gautam Dutta, and I'm
11 representing Cal Advocates in this proceeding.

12 ALJ PRATT: Thank you.

13 Next, I'll ask the representative for the
14 Klamath Water Users Association to state their name and
15 spell their last name for the record.

16 MS. JOHNSON: Thank you. My name is
17 Brittany Johnson, J-o-h-n-s-o-n, representing Klamath
18 Water Users Association.

19 ALJ PRATT: Thank you.

20 Next, I will ask the representative for the
21 California Farm Bureau Federation to state their name
22 and spell their last name for the record.

23 MS. MILLS: Your Honor, can you hear me --

24 ALJ PRATT: Yes, we can, Ms. Mills.

25 MS. MILLS: Yes. Karen Mills for the

1 California Farm Bureau Federation.

2 ALJ PRATT: Thank you.

3 Ms. Johnson, you filed a motion for party
4 status on behalf of the Klamath Water Users Association.
5 And for the benefit of the record, and for the parties
6 present, could you please explain what your
7 organization's interest is in the proceeding?

8 MS. JOHNSON: Yes. Thank you. Klamath Water
9 Users Association, or KWUA, is a nonprofit organization
10 that represents the interests of agricultural and
11 irrigation water users in Northern California and
12 Southern Oregon that take water delivery of water from
13 the Klamath Reclamation Project. The portion of the
14 project that is in California is served by PacifiCorp.
15 And those irrigation and agricultural interests will be
16 affected by this significant rate increase.

17 ALJ PRATT: All right.

18 And how do you intend to participate in the
19 proceeding?

20 MS. JOHNSON: Oh, we intend to submit
21 intervenor opening testimony, according to the deadline
22 which you set, Judge. And then, review the filings and
23 the evidence submitted by PacifiCorp.

24 ALJ PRATT: Okay. Thank you.

25 Are there any objections to the motion of

1 Klamath Water Users Association for party status?

2 PacifiCorp?

3 MS. SOMOGYI: No objections, your Honor.

4 ALJ PRATT: Cal Advocates?

5 MR. DUTTA: No objections, your Honor.

6 ALJ PRATT: And California Farm Bureau
7 Federation.

8 MS. MILLS: No, sir. No objections.

9 ALJ PRATT: All right. Hearing none, your
10 motion for party status is granted.

11 (Klamath Water Users Association was granted
12 Party Status.)

13 MS. JOHNSON: Thank you.

14 ALJ PRATT: Ms. Mills, please note, while you
15 served a reply to this proceeding, but as of today, the
16 filing is still pending with the Docket Office review,
17 and has not yet been accepted for filing. Given the
18 procedural concerns with your served reply, you may want
19 to file a motion for party status.

20 Would you like to do so at this time?

21 MS. MILLS: Yes, your Honor. I think that
22 would be a good move, to formalize it at this point.

23 ALJ PRATT: All right. Then, please explain
24 for the record what is your interest in this proceeding.

25 MS. MILLS: Yes. As reflected in the reply

1 that we submitted, our concerns are much the same as
2 Cal Advocates. It's a significant cost increase that's
3 being -- that certainly undermines affordability for our
4 members who are facing it. And we are concerned about
5 how the costs will be allocated, and ensuring that
6 there's an opportunity to review that -- the underlying
7 request and application. And we will be -- we plan to
8 submit testimony and briefs, as appropriate, in the
9 proceeding.

10 ALJ PRATT: All right then.

11 Are there any objections to the motion of the
12 California Farm Bureau Federation for party status?

13 PacifiCorp?

14 MS. SOMOGYI: No objection, your Honor.

15 ALJ PRATT: Cal Advocates?

16 MR. DUTTA: No objection, your Honor.

17 ALJ PRATT: And, Ms. Johnson?

18 MS. JOHNSON: No objection.

19 ALJ PRATT: Hearing none, your motion for party
20 status is granted. We can discuss some of the
21 logistical details of adding your information to the
22 proceeding at the end of this prehearing conference.

23 (California Farm Bureau Federation was
24 granted Party Status.)

25 ALJ PRATT: All right. Does anyone else

1 present seek to become a party to this proceeding?

2 Going off the record.

3 (Off the record.)

4 ALJ PRATT: So, going back on the record.

5 While off the record, I was checking to see if anyone
6 had -- was seeking party status. Hearing none, the
7 service list is complete; and we will continue with the
8 prehearing conference.

9 As you may know, the Commission encourages
10 electronic service and requires all documents served
11 electronically to go to everyone on the service list,
12 that includes those who are listed as Information Only.

13 Next, we'll turn to categorization. In its
14 application, PacifiCorp proposed to categorize this
15 proceeding as catastrophic wildfire. The protests
16 concurred with PacifiCorp's proposed categorization. On
17 March 19th, 2026, in Resolution ALJ 176-3578, the
18 Commission preliminarily determined that the category
19 for this proceeding is ratesetting. I agree with
20 PacifiCorp and Cal Advocates, and will recommend to the
21 assigned commissioner that the catastrophic wildfire
22 categorization is appropriate for this case.

23 Does any party have any further comments on the
24 categorization of this proceeding?

25 PacifiCorp?

1 MS. SOMOGYI: Thank you, your Honor. Just that
2 we do express our appreciation for your working with the
3 assigned commissioner's office to categorize this
4 proceeding as catastrophic wildfire. We believe that
5 that is the appropriate framework under which for the
6 Commission to evaluate this.

7 ALJ PRATT: All right. Thank you.
8 Cal Advocates.

9 MR. DUTTA: No further comment, your Honor.

10 ALJ PRATT: Ms. Mills?

11 MS. MILLS: Yes, your Honor. We support that
12 categorization at ratesetting. Thank you.

13 ALJ PRATT: Ms. Mills, just to clarify, you
14 support it as ratesetting or catastrophic wildfire?

15 MS. MILLS: No. It's Catastrophic wildfire,
16 but -- and supporting what the determination by the
17 Commission was, that it be ratesetting as well.

18 ALJ PRATT: Okay.

19 And, Ms. Johnson?

20 MS. JOHNSON: No further comment.

21 ALJ PRATT: Thank you.

22 Please note that the catastrophic wildfire
23 categorization, just like the ratesetting
24 categorization, triggers ex-parte rules described in
25 Article 8 of the Commission's Rules of Practice and

1 Procedure. Parties that communicate procedural issues
2 with me should do so by email and copy the entire
3 service list. Parties should not communicate with me
4 about non-procedural issues outside of a public forum
5 that has been noticed to the official service list of
6 this proceeding.

7 Now let's turn to the scope of issues in this
8 proceeding. Ms. Somogyi, you -- please explain the
9 rationale for combining the two wildfire requests into a
10 single application, rather than filing two separate
11 applications.

12 MS. SOMOGYI: Thank you, your Honor.
13 PacifiCorp has settled the substantial majority of all
14 of the claims relating to both of the fires as of, I
15 think, the recent weeks or months. And that means,
16 because of the timing of the settlements, that the costs
17 associated with both fires that are recorded into the
18 WEMA are ripe for Commission review and for cost
19 recovery.

20 ALJ PRATT: Thank you.

21 Mr. Dutta, do you have any response to that
22 answer?

23 MR. DUTTA: Thank you, your Honor.

24 We've already made -- I don't want to repeat in
25 gory detail what we already put in our papers. But, we

1 believe that both fires need to be considered separately
2 and on different tracks. We don't have an issue with
3 treating them in -- with having both fires in the same
4 proceeding. However, if they are in the same
5 proceeding, it is our position that there needs to be
6 two separate tracks. And, essentially, the
7 McKinney Fire requires a longer track of -- of
8 18 months, because there's several outstanding --
9 there's litigation that's pending. And that litigation
10 could reveal highly-relevant facts, facts relevant to
11 this proceeding.

12 For one matter, there's a pending SED Report
13 that has not yet been issued regarding the ignition and
14 the -- of the McKinney Fire. SED's investigation has
15 been completed, but the report has not yet been issued.
16 And that bears direct relevance to the pre- -- to
17 whether or not PacifiCorp was a prudent manager, with
18 respect to the McKinney Fire. And we simply don't have
19 those -- the benefit of having those findings, because
20 the SED hasn't issued the report.

21 And then, of course, you have -- there's a
22 current AEO proceeding regarding -- SED's AEO proceeding
23 regarding PacifiCorp's alleged non-compliance with its
24 own WMP from 2020. And what's of note here is that
25 the -- there was an award -- there was, you know, the

1 AEO -- the penalty proposed by the AEO was 27.3 million.
2 And there's an evidentiary hearing scheduled for May of
3 this year. And there's a decision that's possible as
4 early as September.

5 And, again, relevant facts may emerge from that
6 proceeding that go directly to whether or not PacifiCorp
7 is acting -- has been acting as a prudent manager. And
8 those -- although, you know, the AEO is considering a
9 2020 WMP, that bears direct relevance to -- up to today
10 about, you know -- especially when the allegations are
11 that PacifiCorp didn't even follow its own WMP. Plus, I
12 would add that there are some allegations of, you know,
13 false statements that were allegedly made by PacifiCorp
14 to the Commission.

15 But, with that, I think I'll pause here. But,
16 I just want to make clear that we're not -- Cal
17 Advocates is not opposed to considering both fires in
18 the same proceeding; but there needs to be adequate time
19 devoted with respect to the McKinney Fire.]

20 ALJ PRATT: All right. Thank you.

21 Ms. Mills, do you have any further comment?

22 MS. MILLS: Yes, your Honor. Karen Mills for
23 the Farm Bureau.

24 We support Cal Advocates' approach, I mean I --
25 of -- of the bifurcation; and particularly, if the cause

1 of the McKinney Fire has not yet been determined, I
2 think that's a factor, as well.

3 And as to the penalty raised by Cal Advocates
4 related to that fire, our -- our concern would be
5 whether the penalty would be included as part of the
6 recoverable costs in the WEMA, and so it would make
7 sense that there would be additional adequate time to
8 address the issues related to that fire.

9 ALJ PRATT: Thank you.

10 Ms. Johnson?

11 MS. JOHNSON: Thank you. We also support
12 having a schedule that accounts for the pending
13 investigation and all the related matters to the
14 McKinney Fire.

15 With the AEO, especially if there's going to be
16 a penalty that comes out of that, we are interested in
17 knowing whether PacifiCorp intends to add that to the
18 WEMA. That was something I was trying to determine
19 before today's prehearing conference, but wasn't able to
20 find an answer to that. Given that the issue to be
21 considered in the application is whether PacifiCorp's
22 legal costs paid in defense and settlement of claims
23 arising from the McKinney Fires are reasonable, it seems
24 like we need to know what those costs are and how
25 they're going -- how they are factored into the rate

1 design before we can proceed with some of the issues
2 con -- issues in the application.

3 ALJ PRATT: Thank you. Ms. -- Ms. Somogyi, you
4 have more to add?

5 MS. SOMOGYI: Yes. Thank you, your Honor.

6 My opening remarks would have been more
7 fulsome. I -- I understood us to be discussing the
8 scope of issues, rather than the schedule, and while
9 they might be somewhat intertwined, you know, PacifiCorp
10 will also not reiterate everything in its reply to Cal
11 Advocates' protest.

12 But, as -- with respect to bifurcating the
13 proceeding into separate tracks to accommodate the
14 pending proposed AEO, the AEO, according to the
15 administrative law judge in that proceeding and by the
16 plain terms of the AEO document, are expressly
17 inapplicable to PacifiCorp's conduct relating to the
18 McKinney Fire. That -- we -- it could not possibly be
19 more plain on the face of the record in that proceeding.

20 It is also plain from the face of the AEO that
21 the Safety Enforcement Division has not alleged that any
22 potential or perceived noncompliance by PacifiCorp with
23 its 2020 Wildfire Mitigation Plan led to either fire,
24 either the 2020 Slater Fire or the 2022 McKinney Fire
25 ignitions. That has not been alleged. And regardless

1 of how the Commission chooses to resolve the proposed
2 AEO in that docket, that docket will not build a record
3 and will not make findings specifically related to
4 whether PacifiCorp's conduct relating to the ignition of
5 either fire was reasonable. That is -- again, by the
6 plain terms of the AEO and according to the
7 administrative law judge's most recent ruling, that is
8 not what that proceeding will focus on. And so we -- we
9 continue to maintain that the AEO is not relevant to the
10 reasonableness issues that must be decided in this
11 docket.

12 I'll also note that while Mr. Dutta has
13 represented the -- the Safety Enforcement Division is
14 done with its inquiry into the McKinney Fire, and we are
15 simply waiting for a report, I am not, as I sit here,
16 aware of the actual status of S -- of SED's inquiry into
17 the fire or whether a report will issue. That said, at
18 this point, the existence of a report, if it will be
19 filed, what it will say, what allegations, if any, SED
20 will make with respect to PacifiCorp's responsibility
21 for the McKinney ignition are entirely speculative, at
22 this point. We -- the report could issue tomorrow, if
23 it exists. It could issue 18 months from now. We just
24 don't know.

25 It's also important to note that a -- if SED

1 chooses to proceed with some kind of a proposed
2 enforcement action relating to later wildfire mitigation
3 efforts or the McKinney Fire, a proposed enforcement
4 action is not the same thing as a Commission
5 determination. If PacifiCorp has acted imprudently with
6 respect to the McKinney ignition, Safety Enforcement
7 Division still would need to prove its allegations, and
8 there is no guarantee, as we sit here, that they would
9 be successful.

10 It is all -- it's important, as the Commission
11 is thinking about how to structure this proceeding, that
12 the reasonableness standard under Section 451.1 does not
13 give preference to Commission enforcement proceedings to
14 determine the reasonableness of a utility's conduct
15 relating to a wildfire ignition. To the contrary, the
16 statute contemplates that the Commission will make a
17 reasonableness determination in the cost recovery
18 proceeding docket; and, to that end, this docket already
19 contains significant information relating to the
20 McKinney Fire. The -- that information's primarily
21 housed in the United States Forest Service report on the
22 fire, which includes hundreds of pages of on-scene
23 reports, investigative reports, photographs. There's a
24 significant amount of information in that report, as
25 well as PacifiCorp's testimony relating to its 2022

1 Wildfire Mitigation Plan update and the actions that the
2 company took relating to the McKinney Fire ignition. To
3 my knowledge, the Forest Service report is the most
4 comprehensive and conclusive source of information
5 relating to the facts of the McKinney ignition. That
6 report will not change, regardless of whether the
7 Commission examines it in this docket or some other
8 docket. We believe that the facts already set forth in
9 those materials make it highly unlikely that the Safety
10 Enforcement Division would be able to prove that
11 PacifiCorp's conduct relating to the McKinney ignition
12 was unreasonable, and it is also important to note that
13 the parties in this proceeding have the same discovery
14 rights as the Safety Enforcement Division with regard to
15 the McKinney Fire, and are free to seek information
16 relating to PacifiCorp's conduct relating to the Forest
17 Service report, and that will ensure that the record in
18 this proceeding relating to PacifiCorp's conduct will be
19 just as robust, if not more robust, given the larger
20 number of parties, as the record in any theoretical
21 future proceeding relating to a proposed enforcement
22 action.

23 So thank you. Oh, also, I apologize, your
24 Honor.

25 Two -- two additional points relating to Farm

1 Bureau mentioned that the existing Administrative
2 Enforcement Order proceeding might shed light on the
3 cause of the McKinney Fire, and I do -- it's important
4 to note that the -- the U.S. Forest Service, as the
5 agency having responsibility for investigating the fire,
6 is the agency responsible for making that determination,
7 and that information is contained in the report.

8 And with respect to the other question about
9 whether any theoretical future penalties imposed on
10 PacifiCorp in the pending AEO proceeding would be
11 recorded in the WEMA, I believe the answer to that
12 question is no. Administrative enforcement penalties
13 are generally borne by shareholders, and I am not aware,
14 as I sit here, of a reason why that would not be the
15 case for an -- any penalties the Commission chooses to
16 impose, assuming it does so.

17 So I -- I appreciate the time to make all of
18 these points.

19 ALJ PRATT: All right. Mr. Dutta, would you
20 please explain your views on the relevance of the
21 Administrative Enforcement Order proceeding? We've
22 heard Ms. Somogyi's views.

23 MR. DUTTA: Yes. Thank you, your Honor.

24 We're -- we're evaluating PacifiCorp 's
25 systemic conduct as a prudent manager at the time of

1 ignition of the McKinney Fire. If PacifiCorp is out of
2 compliance with its own WMP, then, to us, that's a
3 strong indication that it's not a reasonable manager.
4 It's not about the McKinney Fire, per se; it's about
5 PacifiCorp's actions and processes at the time of the
6 McKinney Fire. And also, when -- when it comes to WMPs,
7 I'd also
8 notice -- note that when -- you know, let's take the --
9 the -- you know, the AEO's about the 2020 WMP, but
10 there's actually a report on PacifiCorp's compliance on
11 its 2022 WMP that was issued by the independent -- that
12 was issued by its independent evaluator; so that's the
13 in -- Independent Evaluator Annual Report on Compliance.
14 And according to that report for -- with respect to
15 PacifiCorp's 2022 WMP, PacifiCorp was insufficient in
16 implementing 17 out of the 35 -- so more than, you know,
17 one half of the majority -- of nearly a majority of the
18 initiatives in its 2022 WMP.

19 So I think the -- so the -- the AEO proceeding
20 is highly relevant to this proceeding, and there -- we
21 simply don't have the benefit of critical facts that may
22 emerge from the AEO proceeding, and we also don't have
23 the benefit of critical facts that may emerge that will
24 likely emerge from the report that is to be issued by
25 SED when it comes to the ignition of the McKinney Fire,

1 as well.

2 ALJ PRATT: And I see Ms. Somogyi has another
3 response to that.

4 MS. SOMOGYI: Thank you, your Honor, just
5 briefly.

6 As we noted in our reply to the protest, Cal
7 Advocates and the parties are certainly welcome to
8 conduct their own investigation and make their own
9 arguments with respect to how they believe PacifiCorp's
10 compliance with its various Wildfire Mitigation Plans is
11 relevant to the reasonableness standard under
12 Section 451.1. That is why we are all here in this
13 proceeding.

14 But, we -- we do believe that it bears
15 repeating that the Administrative Enforcement Order
16 proceeding on PacifiCorp's 2022 wild -- 2020 Wildfire
17 Mitigation Plan will not answer any of those questions,
18 including with respect to the 2022 in -- independent
19 evaluator report that Mr. Dutta just referenced. Cal
20 Advocates is welcome to compile its own testimony and
21 provide argument on that, but the AEO will not do that
22 work and will not reach any of those conclusions for the
23 parties in this proceeding.

24 ALJ PRATT: All right. Ms. Mills, do you have
25 any sense -- PacifiCorp and Cal Advocates have had their

1 chance to say their piece. I just want to check in with
2 my other two parties.

3 Ms. Mills, do you have any further things to
4 add --

5 MS. MILLS: No, I don't --

6 ALJ PRATT: -- to this discussion?

7 MS. MILLS: I don't think I have anything
8 additional to Mr. Dutta. I think he's -- he's covered
9 it quite effectively.

10 But, you know, my observation is that there are
11 a lot of factors to be weighed in determining, and
12 particularly for the mini -- McKinney Fire, about what's
13 appropriate for the ratepayers to bear, and it makes
14 sense, based on the positions that have been articulated
15 right now, that it would be appropriate to bifurcate
16 them. Thank you.

17 ALJ PRATT: All right. And Ms. Johnson?

18 MS. JOHNSON: Yes. Thank you.

19 I appreciate Ms. Somogyi's clarification that
20 the penalty will be -- if there's a penalty, it would be
21 borne by the shareholders.

22 I think where KWUA has some concern is whether
23 the legal costs and defense of that action are going to
24 be added to the WEMA balance, and whether that is going
25 to be subject to the cost recovery that is before you,

1 Judge, in this proceeding. And I'm -- apologize again.
2 I wasn't able to determine that answer before today's
3 conference, given the filing on Friday. But, you know,
4 that's -- we want to know the universe of costs that are
5 going to be subject to the cost recovery and rate
6 design, and it -- and we don't want to see a large chunk
7 of costs added after the proceeding is almost finished
8 or closed. Yeah.

9 ALJ PRATT: All right. Ms. Somogyi?

10 MS. SOMOGYI: Thank you, your Honor.

11 Just a -- I can provide clarification that the
12 legal defense costs associated with the McKinney Fire
13 are already included in the -- the recovery request for
14 this application. So --

15 ALJ PRATT: All right. Thank you. I think we
16 can put this particular discussion topic to bed, for the
17 moment, because I do actually want to present some
18 potential issues for discussion.

19 Based on my review of the application and the
20 protests and the reply and everything you've talked
21 about today, I -- I was going -- would like to recommend
22 the following issues to the assigned commissioner for
23 the scope of this proceeding; and this includes some of
24 the discussion, and it -- included in the application
25 and the -- Cal Advocates' protest and PacifiCorp's reply

1 to the protest regarding issue one. So for issue one --
2 and I've completely rewritten it to follow more -- to be
3 more aligned with the statutory language.

4 So one, based on the preponderance of the
5 evidence demonstrated by PacifiCorp, was the conduct of
6 PacifiCorp related to the ignition of the Slater and
7 McKinney Fires consistent with actions that a reasonable
8 utility would have undertaken in good faith under
9 similar circumstances at the relevant point in time and
10 based on the information available to PacifiCorp at the
11 relevant point in time?

12 The other issues include, two, were
13 PacifiCorp's actions in settling the legal claims
14 arising from the Slater and McKinney Fires reasonable?

15 Three, were PacifiCorp's legal costs paid in
16 defense and settlement of claims arising from the Slater
17 and McKinney Fires reasonable?

18 Four, are PacifiCorp's incurred and estimated
19 financing costs related to the Slater and McKinney Fires
20 reasonable?

21 Five, is the cost recovery request consistent
22 with the conditions of PacifiCorp's Wildfire Expense
23 Memorandum Account as outlined in Commission Decision
24 25-03-009?]

25 And, six, should the Commission approve the

1 recovery of the costs sought in this application?

2 Ms. Somogyi, do you have any comments on the
3 potential issues as I've outlined them?

4 MS. SOMOGYI: Thank you, your Honor. The
5 proposed issues all sound reasonable to PacifiCorp.

6 Thank you.

7 ALJ PRATT: Mr. Dutta.

8 MR. DUTTA: Thank you, your Honor.

9 I'm just reviewing what your Honor said with
10 the additional -- the two additional issues that we had
11 proposed to be added to scope, relating to vegetation --
12 maintenance of facilities and vegetation management
13 practices. So, essentially, dealing with WMPs and
14 whatnot. And I'm try -- I'm trying to -- I don't
15 believe that your Honor specifically mentioned those
16 issues.

17 ALJ PRATT: No, I did not.

18 Issue one is constructed to be broad --

19 MR. DUTTA: Mm-hm.

20 ALJ PRATT: -- going for, in general, evidence
21 demonstrated; was the conduct of PacifiCorp related to
22 the ignition in -- of the Slater and McKinney fires
23 consistent with actions that a reasonable utility who
24 you have undertaken in good faith, under similar
25 circumstances?

1 So, that is up to the parties to explain
2 whether the WMPs are relevant within that or not; and
3 how so; and what role they have filled within that.

4 Does that address your question?

5 MR. DUTTA: Yes, your Honor. Now, the -- and
6 your Honor is reserving the issue of our request for
7 bifurcation?

8 ALJ PRATT: Yes. That -- we will discuss that
9 a little bit more -- we kind of jumped ahead earlier
10 when we discussed that --

11 MR. DUTTA: Mm-hm.

12 ALJ PRATT: -- I had planned more of that
13 discussion to occur when we were talking about schedule,
14 rather --

15 MR. DUTTA: Okay.

16 ALJ PRATT: -- than the scope of issues.

17 MR. DUTTA: Okay.

18 ALJ PRATT: So, just focusing on the scope of
19 issues, do you have any further comments?

20 MR. DUTTA: No, your Honor.

21 ALJ PRATT: All right. Ms. Johnson?

22 MS. JOHNSON: Thank you, your Honor.

23 So, I think what was Issue 5 in PacifiCorp's
24 application is our Issue 6. And my question is whether
25 that would include -- that Issue 6 would include the

1 ability to comment on the rate design in the
2 application, I just wanted to confirm that.

3 ALJ PRATT: I will actually have to look into
4 that.

5 MS. JOHNSON: Well, that is one specific issue
6 KWUA is interested in submitting testimony on. And so,
7 we would be asking for clarification that either --
8 whether it's Issue 1 or Issue 6, that we are able to
9 submit testimony on the rate design in the application.

10 ALJ PRATT: All right. Thank you.

11 And, Ms. Mills?

12 MS. MILLS: Yes, your Honor. Karen Mills for
13 the California Farm Bureau. I think, like Ms. Johnson,
14 the additional question we would like added to the scope
15 is: What methodology is appropriate for allocation of
16 costs to customer classes?

17 I think that -- that falls within the rate
18 design question that PacifiCorp included testimony for
19 its methodology. So, it seems that it would be
20 appropriate for other parties to weigh in on whether
21 that was the correct methodology or not.

22 ALJ PRATT: All right. Thank you.

23 Are there any other additional issues that
24 should be added, beyond discussion of the rate design
25 that we just discussed? I'm also particularly

1 interested about environmental and social justice issues
2 that should be considered by the Commission while
3 evaluating this application.

4 Ms. Somogyi?

5 MS. SOMOGYI: Thank you, your Honor.

6 PacifiCorp certainly does- -- doesn't object to
7 the addition of considering whether the application will
8 have any impacts on the Commission's Environmental and
9 Social Justice Plan and achievement of its goals under
10 that -- under that framework, nor do we have concerns
11 about either adding a new issue regarding rate design,
12 or simply expanding Issue Number 6 to also include
13 express mention of rate design.

14 And, Mr. Dutta?

15 MR. DUTTA: Thank you, your Honor. We have
16 nothing further to add on behalf of Cal Advocates.

17 ALJ PRATT: All right.

18 Ms. Johnson?

19 MS. JOHNSON: With our previous comments on
20 preserving the rate design issue, no further comment.

21 ALJ PRATT: All right.

22 And, Ms. Mills?

23 MS. MILLS: Yes, your Honor.

24 Nothing additional. Thank you.

25 ALJ PRATT: All right. Now we will move on to

1 the schedule and the need for hearings. Excuse me.

2 We've already discussed, at pretty good length,
3 the relevance of the Administrative Enforcement Order.
4 So, I'm going to not be asking further about that.

5 Assuming that the -- this proceeding needed to
6 wait for the Administrative Enforcement Order to be
7 completed, what should happen if the Administrative
8 Order hearing is not resolved in the next six months?

9 Ms. Somogy?

10 MS. SOMOGYI: Thank you, your Honor.

11 If -- if the determination in this proceeding
12 is that we have to wait for the outcome of the pending
13 proposed Administrative Enforcement Order; and if that
14 proceeding ends up taking a long time, the -- it's a bit
15 challenging to answer now -- but, you know, that would
16 certainly present opportunity for exploration of
17 bifurcating, you know, issues or entire fires that could
18 be addressed sooner, either through the full Commission
19 process or, potentially, through settlement.

20 But, we -- we do really want to emphasize that
21 time is of the essence. You know, we certainly
22 recognize the magnitude of the cost recovery request
23 here and PacifiCorp has taken extensive measures to
24 ensure that the impacts are as minimal as possible
25 already, including making the -- the existing cost

1 recovery request is roughly 50 percent of PacifiCorp's
2 actual incurred costs. Combine that with the proposed
3 securitization. But, you know, delay in this proceeding
4 has real-world and, potentially, significant impacts on
5 PacifiCorp and its customers.

6 And as the application notes, and as the
7 testimony in PAC-100 discusses further, these -- the
8 wildfire costs that PacifiCorp has incurred have imposed
9 a -- a real financial hardship on the company.
10 PacifiCorp's credit ratings have been downgraded, which
11 as the Commission knows, increases the cost of
12 borrowing, which ultimately increases costs for
13 customers. And so, the -- the sooner that this
14 proceeding is able to resolve and PacifiCorp has
15 certainly around the level of costs that it will be able
16 to recover, the more comfort the markets will have.
17 And, hopefully, the -- you know, credit ratings can be
18 increased, and the cost of borrowing and the ultimate
19 cost to customers will go down.

20 It is also important to note that in the
21 context of -- of bifurcation or settlement,
22 securitization is -- it's a very complex transaction.
23 And as with many things, scalability is really a
24 critical factor. It will be more expensive to
25 securitize multiple transactions if -- if we do look at

1 a complete bifurcation. It will essentially double the
2 transaction costs, and PacifiCorp may not be able to
3 obtain as favorable rates for smaller dollar amounts.

4 It also -- you know, again, depending on the
5 level of cost recovery, there is a point at which the
6 dollar amounts are small enough that the -- the market
7 simply can't offer an attractive enough rate. And that
8 again, you know, impacts customers ultimately because
9 recovery has to be structured a different way,
10 potentially, over a shorter period of time, maybe
11 through just regular rate recovery. And so, the -- we
12 really do urge the Commission to keep all that in mind,
13 as well as the fact that the legislature established a
14 12-month resolution period under Section 451 for a
15 reason. Utilities having to carry these level of costs
16 for extended periods of time, not only harms the
17 utility's ability to conduct its day-to-day business,
18 but ultimately trickles down and raises costs for
19 customers.

20 So, we strongly, strongly recommend that the
21 Commission remain focused on the evidence in this
22 proceeding and on resolving this. In as close to
23 12 months as is feasible.

24 ALJ PRATT: All right.

25 Mr. Dutta, please explain what we should do

1 if -- if we were to bifurcate, as you've proposed, and
2 the AEO proceeding does not resolve on time within the
3 six months requested.

4 What would you expect happen then?

5 MR. DUTTA: Thank you, your Honor.

6 This comes down to the issue of -- the classic
7 issue of who should pay, when it comes to wildfires.
8 You know, whether it be the shareholders, whether -- or
9 should it be the ratepayers? Who bears the brunt of it?

10 And humbly -- respectfully submit that --

11 (Audio failure.)

12 MR. DUTTA: Can your Honor hear me?

13 ALJ PRATT: I can. You blanked out for a
14 second there.

15 MR. DUTTA: Okay. I realized that. I
16 apologize. I'm not sure about the connection. Let me
17 start over.

18 This -- the McKinney Fire raises a number of
19 critical factual issues. And we simply don't have
20 access right now to those -- the facts that might emerge
21 when it comes to the AEO proceeding. We need to get
22 it -- to get this right. Because at stake here is who
23 should be paying, when it comes -- who should pay, when
24 it comes to the McKinney Fires -- Fire, whether it be
25 the share- -- whether it should be the shareholders or

1 the ratepayers. What is -- and, you know, that's
2 another way of putting whether or not PacifiCorp acted
3 as a reasonable manager under PU Code 451.1.

4 So, in -- to your Honor's hypothetical, if
5 there is no resolution within six months, say by the end
6 of September, then our position would be that we need to
7 wait until that -- the Commission decision has been
8 issued. Because without that, we do not have
9 sufficient -- we would not have the benefit and the
10 ratepayers would not have the benefit of sufficient
11 facts to determine who ultimately -- you know, determine
12 whether or not PacifiCorp acted as a prudent manager
13 and, ultimately, whether or not there would be an
14 equitable -- in position of the burdens on ratepayers.

15 ALJ PRATT: All right. Thank you.

16 Ms. Mills, do you have any comment on what
17 should be done if we were to bifurcate and extend out
18 the schedule on the McKinney Fire of six months, and the
19 AEO proceeding does not resolve on time?

20 MS. MILLS: Right. I guess, the only point I
21 would make is if you, for some reason, decide not to
22 bifurcate them, then the schedule should be extended
23 appropriately to add time for further evaluation. I
24 think that, yes, we -- we recognize that maybe costs
25 will go up a bit for PacifiCorp. But, costs are going

1 up every day for the ratepayers. And they don't have a
2 good way to ameliorate them on their own behalf.

3 So, as Mr. Dutta pointed, the concern that we
4 have is about the impact to the ratepayers. And it --
5 you know, it may be just that we have to be patient in
6 order for there to be a full record. And that's what's
7 important, is making sure that the record is full.

8 Thank you.

9 ALJ PRATT: All right.

10 And, Ms. Johnson?

11 MS. JOHNSON: I think KWUA's concern in that
12 hypothetical, where we've waited some amount of time for
13 the AEO to resolve, and we haven't seen a swift
14 resolution, in that circumstance, we just wouldn't want
15 the schedule for the McKinney Fire to then somehow be
16 condensed because we're trying to meet this 12-month
17 target. I think it's important to get this right, like
18 the other parties have expressed. This are -- these are
19 significant costs for the water users and the farms and
20 the ranchers that KWUA represents.

21 And we want to make sure there's sufficient
22 time, whether the schedule is one schedule or a
23 bifurcated schedule, to review the evidence and submit
24 opening testimony. So, we just wouldn't want that
25 McKinney Fire -- the bifurcated schedule for the

1 McKinney Fire to be unnecessarily accelerated because
2 we've had -- they have been waiting.

3 ALJ PRATT: All right. Thank you.

4 All right. Now I'm going to be talking a bit
5 more specifically about the applicant's proposed
6 schedule.

7 The applicant has proposed that intervenor
8 testimony be due three months after the issuance of the
9 scoping ruling with current rebuttal testimony due a
10 month later; is that correct, Ms. Somogyi?

11 MS. SOMOGYI: Yes, your Honor.

12 Although, I will just -- I will note that if
13 the scoping memo issues earlier than our target date of
14 May 22nd, that intervenors would have additional time
15 beyond the three months.

16 ALJ PRATT: All right.

17 And do you have any comments on that proposed
18 schedule, Mr. Dutta, that you haven't already addressed?

19 MR. DUTTA: Thank you, your Honor. We --
20 your Honor, we -- in our protest, we provided a
21 schedule. And I don't want to repeat myself, you know,
22 because obviously there's a disagreement between us and
23 PacifiCorp when it comes to scheduling, particularly
24 when it comes to the two tracks.

25 ALJ PRATT: All right. But, even with the two

1 tracks, would it be appropriate to have the opening
2 testimony -- intervenor testimony be due three months
3 after the initiation of that track; and then, concurrent
4 rebuttal testimony due a month later?

5 MR. DUTTA: Three months.

6 Your Honor, it depends on which fire that we
7 are discussing. You know, in our time -- proposed
8 timeline for the Slater Fire, we've proposed that
9 testimony be due on September 18th. So, it kind of
10 depends on -- and what was your -- I'm sorry.

11 And your Honor's specific question -- what was
12 your Honor's specific question? I apologize.]

13 ALJ PRATT: I'm trying to get at the matter of
14 whether you feel that three months from when I say, "Go"
15 would be appropriate for you to complete a good
16 testimony, and then one month later being able to
17 prepare and deliver concurrent rebuttal testimony.

18 MR. DUTTA: When it comes to both fires, your
19 Honor, or -- or to, you know, Slater, and then McKinney?
20 That -- I guess that's the question I'd have.

21 ALJ PRATT: Both.

22 MR. DUTTA: Your Honor, that's something that
23 we believe that it would -- it would be extremely
24 difficult for us, given that we -- we just simply don't
25 have the facts when it comes to the McKinney Fire.

1 ALJ PRATT: Okay. And if they were separate?

2 MR. DUTTA: If they were separate, then --
3 let's see. Your Honor is saying three months after --
4 let's see. If they were separate, we're -- we're
5 proposing September 8 -- let's see. Right now, let's
6 pretend it's April 1. Let's see. I believe that -- I
7 think my client would like -- your Honor, if I might
8 have your indulgence, I want -- need to look at one
9 little -- one -- one matter. Let's see.

10 ALJ PRATT: Mr. Dutta, in the interests of
11 everyone else's time, how about I come back to you?

12 MR. DUTTA: Sure.

13 ALJ PRATT: All right. Ms. Mills, would -- do
14 you feel that three months to prepare your start of
15 intervenor testimony, and then one month to prepare your
16 rebuttal is a good timeframe for you?

17 MS. MILLS: I guess I would split the
18 difference between that proposal and what Cal Advocates
19 has proposed in their schedule, which we're comfortable
20 with, and, you know, perhaps do it three and a half
21 months. But, a month for rebuttal, I think, would be
22 sufficient for us.

23 ALJ PRATT: Thank you. And Ms. Johnson?

24 MS. JOHNSON: For KWUA, we would appreciate the
25 minimum three months between the scoping memorandum and

1 the opening testimony, and then the one month for
2 rebuttal testimony is okay with us, as well.

3 ALJ PRATT: All right. Ms. -- Mr. Dutta, are
4 you ready?

5 MR. DUTTA: Your Honor, if I may, let me look
6 at the -- thank you for your indulgence, your Honor.
7 Let me look at one little -- one matter here.

8 Your Honor, we would not be able to -- so if
9 your -- and your Honor provided a hypothetical that
10 let -- if there were -- if there -- both fires were
11 bifurcated what would our position be, and our answer is
12 that three months would not provide us with enough time.
13 And we had proposed, I believe, September 18th for --
14 with respect to responding to the Slater Fire. So
15 that -- let's see. Today is April 1st -- let's pretend
16 the go date is April 1. So that's July -- yeah, I mean
17 so that's two months later that we had proposed, and so
18 we would need addition -- some additional time, because
19 that's just -- given scheduling and -- and resources, we
20 would need -- we would -- three months would not be
21 enough for us.

22 ALJ PRATT: And how much do you feel would be
23 enough?

24 MR. DUTTA: Just one moment, your Honor.

25 We would -- let's see. If that's -- your

1 Honor, we would need approximately four to five months,
2 because typically, you know, again, because -- because
3 of resource, staff -- staff resourcing, as well as the
4 summer -- as well as, you know, scheduling over the
5 summer and whatnot, it's tip -- you know, typically,
6 that's the amount that, you know, we'd require. I wish
7 we could act soon -- you know, we could respond even
8 quicker, but we would need four to five months.

9 ALJ PRATT: All right. And I see Ms. Somogyi
10 has raised her hand.

11 MS. SOMOGYI: Thank you, your Honor, just
12 briefly.

13 While we -- we certainly recognize staffing and
14 time constraints and we know that everyone at the
15 Commission is quite busy, we would note that discovery
16 is open right now. Cal Advocates has access to the
17 McKinney report. They have access to our WMPs and all
18 of our testimony. And, you know, certainly, the parties
19 would be able to get going on the fact-finding
20 immediately, which should hopefully compress the amount
21 of time needed.

22 In our schedule, we did attempt to provide as
23 much time as the 12-month period really could -- could
24 allow and, you know, again, trying to strike the balance
25 between ensuring that everyone has sufficient time, and

1 also needing to get this done, you know, it's -- we --
2 we've all worked through vacations, we've all worked
3 through the holidays when there is a short statutory
4 timeline.

5 And so while we are not unsympathetic, we would
6 have significant concerns with -- certainly, with five
7 months. And I'll also note that, again, our proposed
8 schedule contemplated a much later prehearing conference
9 and a scoping memo that doesn't issue until almost the
10 end of May. So if that timeline is -- as it appears to
11 be shorter, the parties will already have extra weeks
12 available to them once the scoping memo issues.

13 MR. DUTTA: Your Honor, if -- my client would
14 like to request that he be promoted. This -- this is
15 the manage -- Iain Fisher. He's currently a -- he's not
16 a panelist right now. And he would like to address your
17 Honor, when it comes to the timing issue, directly.

18 MX. UILLMAN: Iain, you are now a panelist.

19 MR. DUTTA: Thank you, your Honor.

20 MR. FISHER: Thank you. Thank you very much.
21 Thank you very much, your Honor. Can I speak now?

22 ALJ PRATT: Please introduce yourself for the
23 record, and then --

24 MR. FISHER: My --

25 ALJ PRATT: -- you can speak.

1 MR. FISHER: Okay. Thank you very much.

2 My name is Iain Fisher. I am the program
3 manager for the safety section of the Public Advocates
4 Office, so under my responsibility are all the cost
5 recovery programs related to wildfires.

6 To this end, I just want to speak to two or
7 three things on the other fires that we have at this
8 time. So we have active the Mountain View Fire with
9 Liberty, we have active the Kincade and the Dixie
10 Fire -- Fires' cost recovery with PG&E. These are all
11 running concurrently. And then we now have McKinney and
12 Slater Fire all running concurrently. On the Mountain
13 View Fire, there was three and a half or four --
14 four-month schedule for testimony. We have similar
15 schedules on the Kincade and Dixie, which are both
16 running at the same time to deliver. So just to give
17 you some perspective of what the actual workload looks
18 like. Thank you.

19 ALJ PRATT: Thank you, Mr. Fisher.

20 Where -- so would five months of schedule time
21 be appropriate for you? Four months? Three months?

22 MR. FISHER: Your Honor, a bifurcated schedule
23 would be -- would be appropriate for me. But, given
24 this, I think it would be more like a five-month
25 schedule.

1 ALJ PRATT: All right.

2 MR. FISHER: Or -- or extending both fires for
3 18 -- to an 18-month schedule. So --

4 ALJ PRATT: Okay. Thank you. All right. So
5 now let's talk about the need for evidentiary hearings.

6 The applicant has recommended that evidentiary
7 hearings are necessary.

8 Ms. Somogyi, do you have any comment on which
9 issues of material facts will be in dispute?

10 MS. SOMOGYI: At this point, your Honor, we --
11 we could only speculate; but, based on the discussion,
12 it -- it seems likely that some aspects of PacifiCorp's
13 vegetation management system operations, and potentially
14 its cost allocation and rate design, could theoretically
15 still be in dispute by the time hearings are -- are upon
16 us. But -- so we -- we do believe that, as a general
17 matter, it's appropriate to plan for hearings when we're
18 setting the schedule.

19 ALJ PRATT: All right. And Mr. Dutta, do you
20 have any specific ideas of what issues that you would
21 like to bring forward for evidentiary hearings?

22 MR. DUTTA: Your Honor, it's -- I -- well, I
23 think when it comes to the McKinney Fire, it's -- just
24 based on the discussion that we've had earlier, I mean
25 there are issues relating to the causation of ignition,

1 there are issues about whether or not PacifiCorp acted
2 as a reasonable -- as a prudent manager. You know,
3 there -- there -- there definitely -- those are some
4 issues that definitely come to mind. Now, obviously,
5 you know, with further information, other issues may
6 arise; but, you know, those are certainly ones that come
7 to mind, when it comes to the McKinney Fire.

8 And, you know, with the Slater Fire, it's --
9 it's, you know, again, the similar statutory questions,
10 based on 451.1. It's -- it's premature right now, you
11 know, to -- you know, to tell.

12 So I -- when it came to McKinney, I was only,
13 you know, talking off the cuff about issues that we've
14 already discussed, but it's -- it's really premature. I
15 mean we -- you know, based on further discovery, you
16 know, issues will develop. But, right now, those are --
17 you know, it's hard to -- it's hard to predict.

18 ALJ PRATT: All right. Ms. Mills, do you have
19 any issues of fact that you are planning to bring, that
20 you know of at this time --

21 MS. MILLS: No, not that --

22 ALJ PRATT: -- with the caveat?

23 MS. MILLS: Yes, a big caveat. Right? And,
24 you know, with the limited time that we've had to review
25 the matter, I -- we can't say specifically what facts we

1 might propose to be litigated.

2 But, I -- we would support that there would be
3 time planned for evidentiary hearing in the matter.
4 Thank you.

5 ALJ PRATT: All right. Thank you.

6 And Ms. Johnson.

7 MS. JOHNSON: Similar to Ms. Mills, I -- I
8 think it would be prudent to save that hearing date and
9 get it on schedule, so it is available; and then, as the
10 case proceeds and we get more information and the
11 testimony, we will be able to stay on schedule, and not
12 be subject to everyone's, you know, scheduling
13 conflicts.

14 ALJ PRATT: All right. Thank you. So now I
15 just want to check in about the timing for briefs.

16 Right now, based on the schedule presented by
17 the applicant, they recommended that briefs be due
18 approximately one month after evidentiary hearings, and
19 that reply briefs be due approximately one month later.

20 Is that approximately correct, Ms. Somogyi?

21 MS. SOMOGYI: Yes, your Honor. That's a fairly
22 standard pacing, in our experience, and also, we're, of
23 course, sort of trying to plan around the major winter
24 holidays, as well; but, the timing didn't seem to work
25 out.

1 ALJ PRATT: All right. And would one month for
2 both briefs and reply be -- briefs be appropriate for
3 Cal Advocates, Mr. Dutta?

4 (Line muted.)

5 ALJ PRATT: Mr. Dutta, you are on mute, if
6 you're trying to respond.

7 MR. DUTTA: Okay. Yes. So your Honor is
8 saying one month for -- from which time?

9 ALJ PRATT: From the close of evidentiary
10 hearings, whenever that is.

11 MR. DUTTA: Huh. And -- and based -- with the
12 understanding that there may or may -- that there will
13 be bifurcation, or not?

14 ALJ PRATT: Either/or. That has not been
15 decided at this time. But, I'm trying to measure
16 capacity to make sure that everyone has a feasible --

17 MR. DUTTA: Uh-huh.

18 ALJ PRATT: -- and reasonable chance to prepare
19 their briefs; so, that way, we can have a good, fair
20 hearing.

21 MR. DUTTA: So the briefs after -- following
22 the hearing. You know, it -- depending on whether
23 it's -- the magnitude of issues covered, you know, I --
24 I think, you know, five weeks would be -- would -- you
25 know, would -- would probably be sufficient. Again,

1 what's unknown to us right now is, you know, whether
2 there'll be bifurcation or not, because that will have
3 an impact on how much time.

4 ALJ PRATT: So without bifurcation, for the
5 purposes of argument? How much time?

6 MR. DUTTA: For purposes of argument, without
7 bifurcation, following the evidentiary hearing, whenever
8 that may be held --

9 ALJ PRATT: Yes.

10 MR. DUTTA: -- we would say five weeks.

11 ALJ PRATT: Five weeks. Okay.

12 And Ms. Mills?

13 MS. MILLS: Yes, your Honor. You know,
14 obviously, it's difficult to predict what the -- what
15 the hearings might be like. And I didn't hear what
16 Mr. Dutta said that would be sufficient. I would think
17 that there would need to be more time between the close
18 of hearings and the opening briefs as opposed to when
19 reply briefs are due; so at a minimum of five to
20 six weeks after the close of evidentiary hearings for
21 opening briefs, and then we could live with a month
22 after the opening briefs for reply.

23 ALJ PRATT: All right. And Ms. Johnson?

24 MS. JOHNSON: For KWUA, the four to six-week
25 range is fine with us. I would agree that I would

1 rather take more time for the opening brief than the
2 reply brief. And given some of the other comments about
3 ex -- you know, five months -- or four to five months
4 for the testimony, I would just ask that if it's like
5 Thanksgiving you'd give us a little more time, if that's
6 where that -- I -- I think PacifiCorp's proposed
7 schedule tried to accommodate the fall and winter
8 holidays, but if we're pushing out, just please keep
9 that in mind.

10 ALJ PRATT: All right. Thank you.

11 MR. DUTTA: And, your Honor, if I may, I mean
12 the Farm Bureau mentioned five to six weeks. I mean I'm
13 agree -- I agree with the principle that more time
14 should be given for the opening briefs, and I think that
15 echos KWUA, as well.

16 ALJ PRATT: All right. Thank you. Does anyone
17 have any further comments regarding the schedule for
18 this proceeding?

19 (No response.)

20 ALJ PRATT: I'm not seeing any hands, so
21 hearing none and -- I think we will be having
22 evidentiary hearings, and I will recommend to
23 Commissioner Baker that the proceeding should move
24 forward with the potential for evidentiary hearings in
25 the schedule. And I will be taking all of your views on

1 the schedule into account as I work on that.

2 Are there any other procedural matters that
3 should be addressed today?

4 MS. JOHNSON: No, your Honor.

5 ALJ PRATT: All right. Hearing none, and thank
6 you for your participation today, we are adjourned and
7 off the record.

8 (At the hour of 3:17 p.m., the Commission
9 then adjourned.)]

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BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE
STATE OF CALIFORNIA

CERTIFICATION OF TRANSCRIPT OF PROCEEDING

I, KARLY POWERS, CERTIFIED SHORTHAND REPORTER
NO. 13991, 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 MARCH 30, 2026.

I FURTHER CERTIFY THAT I HAVE NO INTEREST IN THE
EVENTS OF THE MATTER OR THE OUTCOME OF THE PROCEEDING.

EXECUTED THIS APRIL 02, 2026.



KARLY POWERS
CSR NO.#13991

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE
STATE OF CALIFORNIA

CERTIFICATION OF TRANSCRIPT OF PROCEEDING

I, REBEKAH L. DE ROSA, CERTIFIED SHORTHAND
REPORTER NO. 8708, 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 MARCH 30, 2026.

I FURTHER CERTIFY THAT I HAVE NO INTEREST IN THE
EVENTS OF THE MATTER OR THE OUTCOME OF THE PROCEEDING.
EXECUTED THIS APRIL 02, 2026.



REBEKAH L. DE ROSA
CSR NO. 8708

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