



**FILED**

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R2502005

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

Order Instituting Rulemaking to Update and Reform Energy Resource Recovery Account and Power Charge Indifference Adjustment Policies and Processes.

Rulemaking 25-02-005

**ADMINISTRATIVE LAW JUDGE’S RULING PROVIDING  
NOTICE OF EVIDENTIARY HEARING AND DIRECTION FOR  
RULE 13.9 JOINT CASE MANAGEMENT STATEMENT**

This ruling provides instructions for the joint case management statement required by the assigned Commissioner’s February 3, 2026, Amended Scoping Memo and Ruling (Amended Scoping Memo) for Track Two in the Rulemaking to Update and Reform Energy Resource Recovery Account and Power Charge Indifference Adjustment Policies and Processes (Rulemaking).

This ruling further provides official notice of an evidentiary hearing to be held for Track Two issues on April 28, 2026.

**1. Background**

Rule 13.9 of the California Public Utilities Commission’s (Commission) Rules of Practice and Procedure (Rules) requires parties to meet and confer to identify and potentially narrow or informally resolve certain matters before the Commission and determine whether settlement is possible. Pursuant to the Amended Scoping Memo, parties active in Track Two of the Rulemaking must submit a joint case management statement summarizing the results of this meet and confer by April 21, 2026.

The Amended Scoping Memo further provided time in the schedule for evidentiary hearings for Track Two on April 28, 2026, should such hearings be needed. Based on the development of the record in this proceeding, I have determined that hearings are needed and this ruling provides notice of an evidentiary hearing date. If the joint case management statement indicates that evidentiary hearing is not needed, the hearing noticed in this ruling may be cancelled.

## **2. Instructions for Joint Case Management Statement**

Pursuant to the Amended Scoping Memo and Rule 13.9, parties are directed to meet and confer and prepare a joint case management statement that:

- a. Identifies and, if possible, summarizes any informal resolution of any pending or anticipated motions that parties can achieve;
- b. Identifies the specific facts and issues in the case that are uncontested and may be the subject of stipulation;
- c. Identifies the specific facts and issues in the case that are in dispute, separated by issues of fact and issues of law;
- d. Summarizes party efforts towards reaching settlement and identifies whether parties believe settlement is possible;
- e. Summarizes party positions on the need for hearing;
- f. Lists exhibits previously served in Track Two of this proceeding and corresponding proposed identification for each exhibit in Excel format using the template provided as Attachment A to this ruling as a guide;<sup>1</sup>

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<sup>1</sup> Proposed identification shall use a short acronym for the sponsoring party (e.g., "JIOU," "CCCA," etc.) followed by sequential numbering. Confidential exhibits will be labeled with the same number as the public version of the exhibit followed by the capital letter "C" (e.g., XYZ-01 would be labeled XYZ-01C). Errata should be labeled with the number of the exhibit being corrected followed by the letter "E." Parties shall provide the information in Columns A-D of the exhibit log template at the time the joint case management statement is submitted.

- g. If parties determine hearings are not needed, the joint case management statement shall include stipulations to that effect and stipulations to the admittance of proffered evidence from all parties; and
- h. If parties believe that hearings are needed, the joint case management statement must also include a matrix of the witnesses each party intends to cross examine, in order of proposed appearance, and an estimate of the amount of time each party would like to cross examine each witness. Parties should anticipate the need for redirect examination and work together to prepare a proposed order of cross examination and cross examination schedule that will allow the hearing to be completed on April 28, 2026. Parties shall use the second table in Attachment A as a guide to structure their proposed cross examination matrix.

Parties are reminded that issues appropriate for examination at evidentiary hearing are material issues of disputed facts, rather than issues of law or policy. If no material issues of disputed facts are articulated in the joint case management statement, the evidentiary hearing may be cancelled.

### **3. Notice of Evidentiary Hearing**

Pursuant to the Amended Scoping Memo, notice is hereby provided of evidentiary hearing on Track Two issues, as detailed below.

**Date:** April 28, 2026

**Time:** 9:30 a.m. – 4:00 p.m.

**Location:** Virtual hearing to be conducted via Webex

**Join link:** <https://cpuc.webex.com/cpuc/j.php?MTID=m4357ab6dcb33b6fd32b206fb080766c69c>

**Webinar number:** 2486 282 9279

**Webinar password:** 042026

**Join by phone:** 1-855-282-6330 United States (toll-free)

1-415-655-0002 United States (toll)

**Access code:** 248 628 29279

#### 4. Participant Information

The log-in information for party participants is different than the log-in information for the public provided above. To receive participant log-in information, each party that anticipates actively participating in the hearing must provide the information listed below via email entitled “R.25-02-005 Evidentiary Hearing” to Eleanor Uillman ([Eleanor.Uillman@cpuc.ca.gov](mailto:Eleanor.Uillman@cpuc.ca.gov)) and the Administrative Law Judge (ALJ) ([Eileen.Odell@cpuc.ca.gov](mailto:Eileen.Odell@cpuc.ca.gov)) by April 23, 2026.

- Name of party;
- Name(s) of party’s speakers (please also indicate the lead representative, preferred pronouns, if desired, and/or correct pronunciation of name);
- The role of each speaker (*e.g.*, lead attorney, attorney, witness);
- The email address of each speaker; and
- The telephone number of each speaker.

Prior to the hearing, participants should ensure that they have sufficient audio and visual equipment, and sufficient connectivity required for uninterrupted participation. Participants should log into the Webex event at least 30 minutes in advance of the hearing to address technical issues and housekeeping matters.

For technical issues with Webex or the telephone line during the evidentiary hearing or with any general technical questions regarding the hearing, parties may email Eleanor Uillman.

Parties should anticipate a hearing day that begins promptly at 9:30 a.m. with a 10-minute break in the morning. A one-hour lunch will begin at 12:00 p.m. with everyone returning at 1:00 p.m. Cross-examination will end at

approximately 3:30 p.m. with one 10-minute afternoon break. Procedural issues will be addressed from approximately 3:30 p.m. to 4:00 p.m.

To ensure a complete and accurate record, parties are directed to adhere to the following ground rules during the Webex hearings:

- Mute your device when not speaking;
- Speak only when addressed by the ALJ or when it is your turn;
- Identify yourself for the reporter when beginning examination of a witness, when beginning testifying as a witness, when continuing these activities after a break, when making an objection, or when asked to do so by the ALJ or reporter;
- Speak slowly and clearly;
- Do not use a speaker phone when speaking; and
- Do not interrupt or speak over one another. The exception is for an objection during the examination of a witness. If such an objection is made, the witness must pause before responding to provide time for the ALJ to address the pending objection and to account for any lags due to audio delay. To the extent that counsel or parties have an issue or question that they would like to raise, but that is not time-sensitive, they may pose the issue or question in the Q&A chat function of Webex. The ALJ will set aside time to address these questions at the ALJ's discretion.

During the evidentiary hearing, the Commission prohibits all private communications (e.g., telephone, text, and email) relevant to the subject matter of the proceeding with witnesses while they are being examined. We therefore require both the witnesses and the attorneys to affirm, while on the record, that they will not engage in any private communications relevant to the subject matter of the proceeding during the witness' examination.

Parties who want expedited or daily transcripts should advise the Chief Hearing Reporter via email at [reporting@cpuc.ca.gov](mailto:reporting@cpuc.ca.gov), no later than three days prior to the initial date of the hearing.

**5. Confidential Materials**

Parties should endeavor to avoid referring to confidential materials in the evidentiary hearing. If any party anticipates the need to refer to confidential materials during the hearing, the requesting party intending to refer to confidential materials shall email a notice to the ALJ, Eleanor Uillman, and the service list at least one business day in advance of the hearing to ensure the necessary arrangements can be made for a confidential session. The requesting party shall consult with other parties to compile a list of the names, email addresses, and phone numbers of persons who wish to participate in the confidential session and are authorized access to the confidential materials to be referenced and shall include the list in its notice.

**6. Advanced Distribution of Exhibits, Exhibit Log, and Motions for Admission of Evidence**

Final exhibits other than impeachment exhibits shall be served on the service list and uploaded to the Supporting Documents Platform not later than 5:00 p.m. on April 24, 2026. Exhibits shall be pre-marked with the short acronym described in footnote 1 of this ruling, the name of the sponsoring witness, the date served, the proceeding number, and a notation that the exhibit is for “Track Two” or “Track 2.”

Exhibits intended for use as impeachment exhibits must be served on the service list and uploaded to the Supporting Documents Platform not later than 9:00 a.m. on April 28, 2026. If this deadline is missed and a party still wants to use the impeachment exhibit, the party will be required to show good cause why

they could not have met the 9:00 a.m. deadline. Such requests may still be denied if the delay is deemed prejudicial.

Partial documents or excerpts from documents must include a title page or first page from the source document; excerpts from lengthy documents should include a table of contents page covering the excerpted material. It may be helpful to include language before and after the excerpt to provide clarity or context.

If corrections to an exhibit are needed, the corrected exhibit and a redline exhibit should be served on the service list immediately following identification of the need for correction; the corrected exhibit shall be labelled as "errata" as specified in footnote 1, above. The corrected exhibit and the redline version showing the corrections should be uploaded to the Supporting Documents Platform. Generally, corrections to an exhibit should be made in advance and not while the witness is under oath and testifying.

During the hearing, Pacific Gas and Electric Company (PG&E) shall update the exhibit log submitted with the joint case management statement by noting the exhibit numbers and brief names/descriptions of cross examination exhibits as they are used. PG&E shall email a copy of the final proposed exhibit log at the end of the hearing to the service list by 5:00 p.m. on April 28, 2026. If PG&E will be unable to maintain an exhibit log, I request that PG&E find an alternate party to maintain the exhibit log and inform the service list of this party no later than April 24, 2026.

Written motions for admission of exhibits are due by 5:00 p.m. on May 1, 2026, and should include exhibit logs that have been updated with any additional exhibits submitted by the moving party. The exhibit log shall include links to final, corrected versions of exhibits, if any, not to previous versions, and

