BEFORE THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF CALIFORNIA

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SOUTHERN CALIFORNIA TRIBAL CHAIRMAN ASSOCIATIONS (SCTCA) OPENING COMMENTS IN RESPONSE TO COMMISSIONER'S AMENDED PHASE 2 SCOPING MEMO AND RULING

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I) Introduction

Pursuant to Rule 6.2 and Rule 11.6 of the California Public Utilities Commission Rules of Practice and Procedure, and the Assigned Commissioner's Amended Phase 2 Scoping Memo and Ruling issued March 19, 2026 ("Amended Phase 2 Scoping Memo") in Rulemaking ("R.") 24-01-018, as modified by the Administrative Law Judge's Ruling extending the deadline for Opening Comments, the Southern California Tribal Chairmen's Association ("SCTCA") respectfully submits these Opening Comments in response to the Administrative Law Judge's April 10, 2026 Ruling requesting remarks on enforcement frameworks and remedial actions related to utility energization targets.

SCTCA is a multi-service nonprofit corporation established in 1972, governed by the chairpersons of 26 federally recognized Native Tribes. SCTCA works to protect Tribal sovereignty and improve the health, welfare, and economic self-sufficiency of member Tribes. Through these comments SCTCA seeks to ensure that the Utility Accountability Act framework under discussion – including principles championed by Sen. Josh Becker in Senate Bill (SB) 905

– results in a utility grid and surrounding energy ecosystem that is equitable, responsive, and respectful of California Native American Tribes' status as sovereign governments.

II) Discussion

California Should Be Better

California is recognized globally as an innovator, with a 50-year history of pioneering energy policies that have been adopted as standards across the United States and the world. Yet the California Public Utilities Commission (CPUC or Commission) and California investor-owned utilities (IOU) have pursued notably lackluster energization goals. For comparison, average grid connection times for basic residential and small commercial service in Denmark are 60 days on average. In Indonesia energizations take just five days; Singapore, six days; and Malaysia, 14 days. Yet the CPUC has accepted an *average* energization goal of 182 days.[1]

The Golden State can and should do better. As part of this proceeding the CPUC should adopt a policy to continually improve IOUs' energization timeline performance, toward meeting the goal of 60 days for energization of all sites that do not require distribution system upgrades, consistent with targets already established by the Commission.[2] CPUC should demand that IOUs steadily improve performance so that by 2035 the IOUs provide all new basic service energizations within 60 days – not just as an average, but as a firm deadline with IOUs bearing the financial burden of failure to meet that deadline. Further, CPUC should enforce realistic deadlines for energization requiring distribution system upgrades, differentiating standards for smaller, simpler sites from those that are larger or more complex. To validate IOUs' annual

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[1] *Getting Electricity: A Pilot Study by the Doing Business Project,* The World Bank Group, https://archive.doingbusiness.org/en/reports/thematic-reports/getting-electricity

[2] Decision Establishing Target Energization Time Periods and Procedure for Customers to Report Energization Delays, CPUC R.24-01-018, Decision 24-09-020 (Sept. 12, 2024)

progress and support enforcement of deadlines, CPUC should work with IOUs to establish and oversee robust energization monitoring and verification systems that quantify IOUs' performance and provide the basis for remedial actions as necessary.

Additionally, IOU energization obligations should not be limited to one method of providing electric service, e.g., traditional distribution system interconnection. When IOUs fail to meet the stipulated deadlines through traditional grid connectivity, then CPUC should require those IOUs to provide alternative means of providing electric service to affected customers, such as deploying temporary onsite power systems, installing non-wires alternatives (NWA) such as community microgrids, and financing and supporting installation of customer-owned behind-the-meter distributed energy resources (DER) including microgrids, at customers' option.

Market experience shows that temporary power systems can be provided within a week, residential/small commercial solar+storage systems can be procured and installed in six months or less, and community-scale microgrids can be fully operational in two to three years.[3] Particularly in situations where IOUs fail to timely provide cost-effective utility distribution service for residences and other essential facilities on Tribal lands and in disadvantaged communities, CPUC should compel IOUs to utilize these non-wires alternatives to provide new service.

A carefully crafted procurement and implementation strategy, financed by the IOUs, could offer a cost-effective means to rapidly improve energization times. Although the Commission should avoid allowing IOU ownership of permanent behind-the-meter DERs, both temporary and

[3] "Why California Still Needs Clearer Energization Targets and Accountability," Interstate Renewable Energy Council (IREC); https://www.energy.ca.gov/sites/default/files/2025-03/CEC-500-2025-010.pdf

permanent DERs already are available and are being deployed on both sides of the customer meter to deliver essential electric service when traditional grid upgrades are stalled.[4]

CPUC and IOUs Should Respect Tribal Governments' Sovereign Status

Tribes govern lands often located at the "end of the line" of the electric grid, making them uniquely vulnerable to the systemic energization delays that this proceeding seeks to address.[5] Postponements in providing power for such essential facilities as Tribal housing, healthcare facilities, and economic enterprises impedes Tribal governments' ability to serve their communities. Further, as sovereign entities, Tribes maintain a government-to-government relationship with the State of California. Accordingly, the CPUC and IOUs should treat Tribes' energization requests with respect and urgency commensurate with Tribes' status as sovereign governments.[6]

Tribes historically have faced disproportionate barriers to timely interconnection and energization, often exacerbated by complex jurisdictional overlaps and historical underinvestment in rural and Tribal infrastructure.[7] Multiple Tribes discussed the consequences of these barriers in February 2026, when the Tribal Energy & Climate Collaborative hosted an in-person meeting with more than 90 participants.[8] Some Tribes report waiting multiple years for energization of new facilities on Reservations. Tribes express frustration with IOUs' standard

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[4] *Bridging Solutions Strategies Compliance Report* filed by Pacific Gas and Electric Company (U 39 E), CPUC R.24-01-018 (Dec. 16, 2024), https://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M549/K805/549805932.PDF
[5] The geographic isolation of many Southern California Tribes – including SCTCA members – is the direct result of systematic displacement by settlers during the 18th and 19th centuries.
[6] Executive Order B-10-11; draft-resolution-e-5076-9_1_20.pdf
[7] U.S. Department of Energy, *Tribal Electricity Access and Reliability Report to Congress* (Aug. 2023), at 18, 41-43.
[8] Including representatives from California Tribes, San Diego Gas & Electric, Southern California Edison, CPUC, California Energy Commission, and Bureau of Indian Affairs Region 9 office.

operating procedures that allow repeated delays in communication by IOU service teams, as well as IOU application management and site inspection practices that impede and delay energization and interconnection, rather than prioritizing efficient and timely resolution. As large, rate-regulated service companies, IOUs have fostered a culture of bureaucratic impedance rather than urgent and supportive customer service. Tribes and other rural communities bear painful consequences from IOUs' inhibitive culture. As one Tribal representative said:

"We can't build homes, we can't do economic development if we don't have electricity. When you are waiting that long, everything is on hold. How does a Tribe move forward with its plans for people if they have no electricity?"

As the Commission considers enforcement mechanisms and remedial actions for utilities that fail to meet Senate Bill (SB) 410 and Assembly Bill (AB 50) mandates, it should consider establishing binding deadlines and mechanisms for monitoring and enforcement, including for example:

- Transparent Monitoring: IOUs should go beyond filing aggregated data, instead providing mechanisms for energization applicants to determine in real time where their projects are in the process, and how to expeditiously address barriers and delays. And as noted above, monitoring and reporting mechanisms should provide verifiable data about IOUs' performance for different kinds of energization requirements – from simple new-home hookups to those requiring distribution upgrades to serve larger loads and communities – with such data enabling customers and CPUC to track performance and justify remedial measures.
- Alternative Service Pathways: As noted above, if grid connectivity cannot be achieved in time to achieve energization goals, then IOUs should be required to provide service using

such non-wires alternatives as front-of-meter DERs and microgrids and temporary onsite power systems, or finance and support customer installation of permanent behind-the-meter DERs.

- Improving Equity through Enforcement: Remedial actions should prioritize energization in disadvantaged and Tribal communities that have been historically marginalized by grid-planning processes.
- Accountability: CPUC should hold IOUs financially and procedurally accountable for delays that stall Tribal housing and essential facility development.

SCTCA's specific responses to the March 19, 2026, Assigned Commissioner's Amended Phase 2 Scoping Memo and Ruling are provided in the following discussion.

1. *How should the Commission determine whether to order utilities to take remedial actions necessary to achieve their energization timeline targets?*

The Commission should not view all energization requests equally. Delays associated with an essential Tribal project (e.g., clinic, emergency shelter, housing) or related to time-sensitive federal or State grants should trigger swift implementation of remedial actions.

In this context, the energization application process should enable Tribes to identify a project as essential, which initially would require it to be energized in no more than 182 days from the date an application is received, with that deadline accelerating to 60 days by 2035 (i.e., 14 days faster every year) for sites that do not require distribution system upgrades. Notably, these should be established and enforced as firm deadlines, not averages or aspirational targets. And if a utility fails to meet required energization deadlines for sites in Tribal or disadvantaged communities, then remedial actions should be implemented automatically, regardless of the utility's overall system-wide average performance. Further, if a Tribe or disadvantaged community notifies the

CPUC that a utility's delay is causing public health or safety risks, the Commission should compel the IOU to immediately resolve the situation.

In addition, if an IOU's Biannual Energization Report shows a consistent trend of longer-than-average wait times for rural or Tribal circuits – even if within the established deadlines – then the Commission should order preventative remedial actions (e.g., DER deployment) to ensure affected customers obtain IOU service on terms equivalent to standard utility service. Challenges affecting interconnection to traditional utility distribution infrastructure should no longer be allowed to stretch out the standard timeline for new service energizations, given the availability of suitable non-wires alternatives.

Finally, IOUs should be required to provide dedicated, on-call engineering staff who are specifically tasked with managing and expediting Tribal and DAC energization requests.

2. *If the Commission determines that it must order remedial action, what remedial actions should the Commission order?*

If a utility fails to meet established energization goals for a given Tribal or disadvantaged community customer, the Commission should order the following actions by the IOU:

- Install required temporary power systems or permanent front-of-meter DERs (e.g., solar, batteries) to provide equivalent service under the applicable CPUC-authorized tariff, with incremental costs borne by IOU shareholders and not ratepayers; or
- For every day of delay beyond established deadlines, provide an equivalent day-for-day shareholder-funded energization-delay credit commensurate with the estimated total monthly charges on the site's new service account following interconnection.[9]

[9] Credits applied directly to a customer's bill do not constitute fines; they reflect a downward adjustment of the utility's authorized revenue for failing to provide timely service.

Credits should be implemented through a self-executing tariff as part of formal Electric Rules (e.g., Rule 15 or 16), thereby ensuring that the remedy becomes a standard part of the service agreement. If the IOU fails to meet the energization deadline, the credit would be triggered automatically by the tariff, similar to a missed-appointment credit.[10] In this way, the burden for ensuring accountability is borne by the responsible IOU and not the customer. And as noted, robust monitoring and verification systems are necessary to enable real accountability by IOUs – and remedial action orders by CPUC.

In addition, the Commission should enable Tribes to participate and verify enforcement processes involving their projects if they choose to do so. Because Tribal governments have sovereignty, they must have standing by right in any negotiation that affects their energization timelines.

3. *How should the Commission monitor compliance with any remedial actions it orders?*

IOUs' Biannual Energization Reports are issued too infrequently to serve as an effective compliance monitoring mechanism; statistics showing average past performance are meaningless to individual customers enduring delays for their specific projects. As part of the robust monitoring and verification systems discussed above, the Commission should order the IOUs to provide a secure, standardized, real-time dashboard that customers can access for current information about their interconnection and energization applications. The dashboard should explicitly identify current project status, including the exact days an application has been in IOU control and in the applicant's control to prevent utilities from concealing their delays behind

[10] Under CPUC General Order 133-D, if a utility technician fails to arrive at the customer premise within the promised four-hour window, the IOU is required to automatically credit the customer's account (typically $25–$50).

assertions that other parties or jurisdictional authorities are responsible for the delays. The Commission should establish an Energization Hotline or dedicated portal within this system. Reports from Tribal governments or DACs should be flagged for immediate review by the Utilities Enforcement Branch (UEB), triggering a formal inquiry when identified remedial action deadlines are missed.

4. How should the Commission satisfy the requirement of Section 934(g) to establish an enforcement policy? In your response, address the following questions:

i. Should the Commission use its existing Enforcement Policy (Resolution M-4846) to satisfy the requirements of Section 934(g)?

The Commission's Resolution M-4846 Enforcement Policy ("Enforcement Policy") identifies the full panoply of available enforcement mechanisms, from phone calls and warning letters to Orders Instituting Investigation (OII) and revocation of a utility's certificate of public convenience and necessity. Resolution M-4846 also adds two new mechanisms: Administrative Consent Order and Administrative Enforcement Order. Given that the Enforcement Policy offers 14 different potential enforcement mechanisms, there is no reason for the Commission to implement a new and separate policy for non-compliance with Section 934.

The relevant question becomes which of the 14 mechanisms identified in the Enforcement Policy are reasonably applicable to Section 934 violations. Some mechanisms either do not apply (e.g., there is no existing Citation and Compliance Program for Section 934 violations) or appear unlikely to be used in this context, such as revocation of a utility's license or certificate. From a commonsense perspective, others seem to always be available, such as warning letters and requests for information.

For reasons described below, Enforcement Policy mechanisms that should become part of energization processes are the Administrative Enforcement Order (AEO) and the Order

Instituting Investigation (OII). Conversely, potential use of the Administrative Consent Order (ACO) raises serious concerns for Tribal lands; it should only be deployed with additional specific conditions applied.

Prior to the Commission's adoption of the Enforcement Policy, the Commission had a number of industry-specific citation programs. While allowing staff to issue citations to utilities imposing monetary penalties, these citation programs tended to be narrow in their coverage and often had significant limitations or constraints on the penalties or remedies that could be imposed. In response, the Enforcement Policy created the new AEO, which did two things: it created a citation program that was more universally applicable, and it provided for greater flexibility in imposing penalties, including a higher limit on monetary penalties.

In short, one of the reasons for creating the AEO was to ensure that violations of new requirements, and otherwise unaddressed violations such as those set forth in Section 934, would be subject to citation-level enforcement, rather than requiring the Commission to open an OII for any violations. It makes sense to apply the AEO process to violations of Section 934, since doing so is consistent with its intended purpose: enforcement of new, previously unaddressed violations. There does not appear to be any reason not to make the AEO process available for Section 934 violations, with the caveat that Commission enforcement staff should, early in the process, notify any affected Tribes of their intent to use the AEO process, and consult with such Tribes regarding the use of that process and potential penalties.

The Commission's formal OII process is larger and generally more cumbersome than the AEO procedure. SCTCA does not expect it to be widely used to enforce Section 934 compliance. However, an OII would be an appropriate Commission response in the case of a larger, more systemic or intentional Section 934 violation. Opening an OII would also provide an opportunity for Tribal participation in the proceeding. Accordingly, the OII process should remain available to the Commission, and the Commission should not preclude using this powerful tool in the context of Section 934.

In addition to the AEO process, the Enforcement Policy also created a new Administrative Consent Order process. Under an ACO, Commission enforcement staff can negotiate a settlement with the violating or non-compliant entity, which for Section 934 purposes would be the relevant electric utility.

One major deficiency of the ACO is that it does not provide for participation by, or even notice to, the victim or real party in interest. In essence, it enables negotiation of back-room deals between enforcement staff and the utility. If a utility failed to timely energize a structure or structures on Tribal land in violation of Section 934, the ACO process allows for the resolution of that violation to be negotiated and settled by Commission staff and the utility with no notice to the Tribe, and no opportunity for the Tribe to be heard until after the settlement is signed and presented to the Commission.

This is not a new or unknown problem with the ACO process – parties accurately identified this problem with the process in December, 2021, in their comments on Resolutions SED-5 and SED-6.[11] The fact that the ACO process enables the negotiation of deals without the affected Tribe in the room is deeply problematic for Tribes, particularly since the ACO process allows for staff and the utility to resolve physical, on-the-ground issues in addition to imposing monetary penalties. In any case where the Commission and IOUs are negotiating solutions and penalties involving IOU failures to fulfill their service obligations to Tribes, then Tribal

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[11] "Sonoma also expressed concern that the Commission's ACO process fails to provide an opportunity for input from impacted communities." (Resolution SED-6 at 2.) "Santa Barbara also expressed concern that the Commission's Administrative Consent Order process does not provide an opportunity for early input from impacted communities or the same level of transparency as in past enforcement matters." (Resolution SED-5 at 3.)

governments must be included as parties to such negotiations to ensure resulting agreements appropriately support Tribes' needs as well as those of the State and IOUs.

Commission staff and the electric utility negotiating a resolution involving Tribal land without Tribal participation is unacceptable. Any negotiated settlement of a dispute involving utility service on Tribal land must include the Tribe. Accordingly, the ACO process should not be used to resolve energization issues on Tribal lands unless the relevant Tribe or Tribes are included in the negotiation process from the start. After-the-fact notice or performative inclusion is not adequate.

The AEO process created by the Enforcement Policy has a similar problem, in that Commission enforcement staff can impose a penalty on a non-compliant utility without consulting the Tribe that was affected by the utility's non-compliance. In general, this problem appears to be less serious than with the ACO because the AEO process focuses on monetary penalties, without the negotiation of terms that could have a potential impact on Tribal interests. Nevertheless, SCTCA recommends that Commission enforcement staff communicate and consult with the affected Tribe or Tribes before finalizing an AEO.

ii. Should the Commission take action in addition to or separate from its existing Enforcement Policy?

The answer to this is "maybe." On one hand, as described above, since the Commission's Enforcement Policy broadly incorporates all mechanisms presently available to the Commission, and expressly allows for others not specifically listed, it is not clear that additional or separate mechanisms are necessary. At the same time, it is possible that in requiring "an electrical corporation to take remedial actions" (per Section 934(d), which is referenced by Section 934(g)), the Commission may find that new or additional procedures are needed – such as the energization performance monitoring and tracking systems and processed discussed above. Most likely those would be compatible with the existing mechanisms, such as the AEO and/or OII,[12] but if not, there is no reason to bar the Commission from taking appropriate action compatible with its authority under Sections 934 and 701. In fact, the Enforcement Policy itself states: "Nothing in this Policy shall be construed to constrain staff or the Commission from pursuing actions that are otherwise authorized but are not specifically mentioned in the Policy." (Enforcement Policy, Appendix at 6, fn. 2.) The recommendations of SCTCA in response to Question 2 could be considered new, but they do fall squarely within the scope of the Enforcement Policy.

More broadly, CPUC should require IOUs to examine their interconnection and energization processes and practices to identify ways to ensure IOUs foster a corporate culture of urgency and support in solving problems and serving customers' needs, rather than the culture of impedance, unaccountability, and opacity that Tribes and disadvantaged customers routinely encounter when dealing with IOUs. Building transparency, accountability, and enforcement into IOU processes is an important first step toward creating an IOU culture that strives for excellence and timeliness in a systematic and enduring way.

B. Should the Commission take any steps to implement the reporting requirements set by Section 935(a)?

SCTCA recommends the following:

- Tribal Workforce Carve-Out**:** Require the IOUs to report specifically on staffing levels allocated to rural and Tribal regions rather than providing system-wide averages.

[12] For example, the remedial actions recommended by SCTCA in response to Question 2 could be imposed in the context of an OII proceeding.

- Linking Remedial Action to Staffing**:** If a utility fails to meet its energization targets for Tribal projects, the Section 935(a) report should be used to determine if the utility must mandatorily increase its apprentice pipeline in those specific service territories, with a preference for hiring Tribal members.

C. Auditor Selection 1. Large Investor-Owned Utility (IOU) Auditor Selection
i. Should the Commission require the Large IOUs to jointly retain a single auditor to satisfy their SB 254 requirements?
ii.. How should the SB 254 auditor coordinate with the SB 410 auditors?
iii SB 410 does not allow utilities to pay for its auditing requirements using ratepayer funds, while SB 254 is silent on the topic. Which auditor-related costs should the Commission permit the Large IOUs to recover from ratepayers? Which costs should the Commission not permit the Large IOUs to recover from ratepayers?

As stipulated under SB 410, independent third-party audits of utility energization efforts must be paid for by the electrical corporations themselves and cannot be recovered from ratepayers. Further, while the utility pays for the audit, the CPUC selects the auditor based on non-binding recommendations from the utility. There is no reason to deviate from the requirement that utilities pay for energization audits based on SB 254. In fact, SB 254 (Becker, 2025) and SB 410 are supposed to work in tandem to strengthen ratepayer protections rather than weaken them. SB 254 focuses on energy affordability by preventing utilities from earning profits on the first $6 billion to $10 billion in fire mitigation and energization capital expenditures. It reinforces the polluter-pays principle by ensuring shareholders – not customers – shoulder more of the financial burden for system improvements.

In addition to examining and reporting IOUs' compliance with interconnection and energization timeline requirements, the selected auditor should identify areas of strength and best practices that should be adopted by other IOUs to support their progress.

iv. What information should the Commission require the Large IOUs to provide as part of their nonbinding auditor recommendations?

To ensure that the SB 410-required independent audits provide actionable information for Tribal governments, the Commission should require the IOUs to include specific Tribal-competency criteria in their nonbinding auditor recommendations. These would include auditors with a proven record of auditing infrastructure on federally recognized Tribal lands. Traditional auditors may not understand complex jurisdictional overlaps (e.g., Bureau of Indian Affairs easements; Tribal Employment Rights Ordinances) that IOUs often cite as reasons for energization delays. An auditor without this expertise cannot accurately determine if a utility is using these complexities as an excuse for inaction.

The IOUs should be required to provide the auditor with a regional staffing map as part of its recommendation. IOUs often report system-wide staffing adequacy.[13] To effectively examine Tribal interests, the auditor needs to review the specific headcount of qualified electrical workers and engineers assigned to rural and Tribal areas. In this respect, the Commission should require the IOUs to recommend auditors capable of performing geospatial staffing audits.

IOUs should be required to recommend auditors who will specifically evaluate historical underinvestment in Tribal circuits. Energization delays are often caused by upstream capacity issues (e.g., old substations or overloaded circuits). The auditor must be tasked with verifying if the utility is prioritizing upgrades in affluent urban areas over the end-of-the-line infrastructure that serves many Tribes and disadvantaged communities.

The recommended auditor should be given access to all formal communications between the IOU's Tribal liaisons and Tribal governments regarding project status. This would enable the

[13] See for example, *Workforce Analysis of Southern California Edison Company (U 338-E) Pursuant to Public Utilities Code Section 935(a)*, filed in R.24-01-018 (March 31, 2026), at 5-12.

auditor to verify the accuracy of utility self-reporting. If a Tribal government is being told a project awaits a permit while the utility internal logs show lack of crew availability, the auditor must have the data to identify this discrepancy.

The IOUs should recommend auditors who include Tribal consultation as a core part of their audit methodology. An audit that only looks at utility books is incomplete. The auditor should be required to interview Tribal utility managers or representatives to document the timeline from the Tribe's perspective.

v. What actions should the Commission take to formalize the SB 254 auditor's nonbinding recommendations?

The Commission should not allow the IOUs to select auditors in a vacuum. A 20-day comment period should be ordered related to reviewing all auditor options considered and nonbinding recommendations. In addition, the CPUC should refine the selection criteria beyond what the utilities propose, to reflect SCTCA's recommendations.

SB 254 requires the Commission to establish an enforcement policy that includes penalties for non-compliance with remedial actions. The auditor's scope should include verification of these actions specifically ordered for Tribal projects.

While the IOUs provide nonbinding recommendations, the final decision-maker must be independent. The CPUC Executive Director should consult the Office of the Tribal Advisor in making the final auditor selection.

The Commission should establish a feedback loop for the auditor's work, requiring it to submit biannual reports to it and the Legislature.

2. Small and Multi-Jurisdictional Utility (SMJU) Auditor Selection i. Should the Commission require the SMJUs to comply with the auditor requirements established by Section 940? ii. Should the Commission require the SMJUs to jointly retain a single auditor to satisfy their SB 254 requirements? iii. Which costs should the Commission permit the SMJUs to recover from ratepayers? Which costs should the Commission not permit the SMJUs to recover from ratepayers? iv. What information should the Commission require the SMJUs to provide as part of their nonbinding auditor recommendations?

D. Improvements to Energization Process.
1. Should the Commission take any actions to further standardize energization processes across utilities? If so, what actions should the Commission take, and why?

The Commission should order creation of a standardized, statewide application portal for all Tribal projects. Currently, SCTCA members must navigate different documentation requirements for Southern California Edison (SCE) and San Diego Gas and Electric (SDG&E), leading to avoidable errors and restarts. A standardized, statewide application portal for all Tribal projects likely would be cost-effective.[14] While the initial setup for modernizing legacy utility systems involves significant upfront costs – SDG&E has asserted that "significant and costly system enhancements" are needed for granular tracking – the long-term savings from reduced administrative friction, fewer application rejections, and increased transparency would be substantial for both Tribes and utilities.[15] These system enhancements are necessary for tracking IOU performance through the robust monitoring and verification system and process described above. Strategic deployment of artificial intelligence (AI) tools could significantly reduce granular tracking costs for both the Commission and the utilities. By automating data ingestion

[14] Such an approach would also be beneficial to other multi-utility jurisdictional entities, including businesses and the State.
[15] SDG&E Biannual Energization Report, CPUC R.24-01-018 (Jan. 25, 2024), https://www.cpuc.ca.gov/-/media/cpuc-website/divisions/energy-division/documents/infrastructure/energization/sdge-r24-01-018-biannual-energization-report_20250930.pdf

and analyses that currently require hundreds of manual staff hours, AI can make real-time Tribal project monitoring financially viable.

The Commission should mandate that each IOU establish a Tribal Energization Office with identical levels of binding authority. Standardizing this role ensures that a Tribal customer in San Diego County receives at least the same level of priority and procedural respect as one in Riverside County.

As mandated by SB 410 and SB 254, an independent auditor cannot effectively evaluate system-wide efficiency if the metrics for success vary by utility. Standardization of performance monitoring and verification is the only way to ensure the auditor can identify which utility is truly an outlier.

2. Should the Commission take any actions, beyond those required by SB 410 and AB 50, to improve energization timelines? If so, what actions should the Commission take, and why?

To truly resolve the systemic delays facing SCTCA members and others, the Commission must use its broad regulatory authority to go beyond the SB 410 and AB 50 “reporting and targets” framework. Below are the proactive actions the Commission should take:

- Establish a Tribal Priority Queue (Fast-Track): The Commission should order utilities to carve out a dedicated processing lane for Tribal essential infrastructure (e.g., housing, health, and water).
- Establish Firm Deadlines: Mandate a 182-day timeline for basic new service energizations that do not require distribution system upgrades, decreasing to 60 days by 2035, with these declining durations mandated as maximums, not averages. Likewise, CPUC should mandate firm deadlines for larger and more complex service energization,

with monitoring and verification to support steady improvement in IOU energization performance for all customers.

- Pre-approve Non-wires Alternatives: If an IOU determines that energization will be delayed beyond the applicable maximum timeline (initially 182 days), it should be ordered to fund DER alternatives, including microgrids. This would shift the burdens and consequences of delay from the Tribe to the utility responsible for providing equivalent service levels and meeting interconnection and energization deadlines.

III) Conclusion

In conclusion, SCTCA respectfully urges the California Public Utilities Commission to adopt a clear, enforceable energization framework that replaces aspirational targets with binding deadlines, robust monitoring, and automatic remedial actions. Without these elements, existing inequities—particularly those affecting Tribal governments and disadvantaged communities—will persist. The Commission has both the authority and responsibility to ensure that utilities deliver timely, reliable service, and to hold them accountable when they fail. By prioritizing transparency, enforcing meaningful consequences for delays, and recognizing the sovereign status and urgent needs of Tribal nations, the Commission can move California from a system defined by delay and opacity to one defined by performance, equity, and accountability.

Respectfully Submitted,

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