



**FILED**

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A2503016

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

Application of Union Pacific Railroad Company, d/b/a Keene Water System (U0434W) for Adjustments to Revenue Requirement, Rate Design, and Rates.

Application 25-03-016

And Related Matter.

Application 25-03-017

**ADMINISTRATIVE LAW JUDGE’S RULING REVISING PROCEDURAL SCHEDULE**

This ruling revises and reinstates the procedural schedule for this proceeding, as detailed below.

**1. Procedural Background**

Application (A.) 25-03-016 was filed on March 28, 2025, by Union Pacific Railroad Company (UPRR), d/b/a Keene Water System (KWS) for adjustments to the water utility’s revenue requirement, rate design, and rates.

Contemporaneously, UPRR d/b/a KWS filed A.25-03-017 requesting authorization to be relieved of its public utility status and water service obligations. Both applications focus on water service in the town of Keene, California, a rural community in Kern County. On April 2, 2025, UPRR filed an unopposed motion for consolidation of A.25-03-016 and A.25-03-017 pursuant to Rule 11.1 and Rule 7.4.

A Prehearing Conference (PHC) was held on October 17, 2025, to address the issues of law and fact, determine the need for hearing, set the schedule for resolving the matter, and address other matters as necessary. Given the

applications' interrelated issues of law and fact, the assigned Administrative Law Judge (ALJ) granted UPRR's motion for consolidation during the PHC.

On October 27, 2025, the State Water Resources Control Board (SWRCB) filed a report on the "Technical Assistance Workplan" (Workplan) for KWS.<sup>1</sup> The Workplan was executed on May 14, 2025, and provides funding for an Engineering Report to evaluate project alternatives to provide water to the customers in Keene, California. Pursuant to the schedule provided in the Workplan, the final Signed Engineering Report is anticipated to be completed by February 9, 2027.

On March 2, 2026, the Assigned Commissioner issued a Scoping Memo and Ruling (Scoping Ruling) identifying the issues in scope and the procedural schedule moving forward. On March 3, 2026, two Public Participation Hearings (PPHs) were held in Tehachapi, California. Many speakers commented on the schedule adopted in the Scoping Ruling.<sup>2</sup> On March 24, 2026, this proceeding was reassigned to Commissioner Harada. On April 16, 2026, the assigned ALJ issued a ruling suspending the procedural schedule until a second PHC could be held.

On May 13, 2026, a second prehearing conference (PHC) was held to discuss the procedural schedule for this matter moving forward. Parties were asked to focus on the following questions for discussion:

1. How can the SWRCB keep the Commission informed on the timeline for the Test Well Design (anticipated to be completed May 29, 2026); the Technical Memorandum (anticipated to be completed December 25, 2026); and the

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<sup>1</sup> See Technical Assistance Workplan available at <https://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M585/K815/585815632.PDF>

<sup>2</sup> See PPH Transcript, available at: <https://docs.cpuc.ca.gov/SearchRes.aspx?DocFormat=ALL&DocID=601872217>.

- Final Signed Engineering Report (anticipated to be completed February 9, 2027)?;
2. Which of the issues identified in the March 2, 2026 Scoping Ruling do parties feel like they can address before the SWRCB Engineering Report is finalized?;
  3. Which of the issues identified in the March 2, 2026 Scoping Ruling do parties feel like they can address after the SWRCB Engineering Report is finalized?;
  4. Would a Meet & Confer under Rule 13.9 assist parties in identifying what issues they would feel comfortable addressing before/after the SWCRB Engineering Report is finalized?;
  5. Would it be useful to have a status conference after the SWRCB Engineering Report is finalized?; and
  6. How long do parties want for intervenor and rebuttal testimony?

During the discussion, it was evident that consensus on the questions above was not likely. For instance, some Parties would like to wait until the SWRCB Engineering Report is complete before sponsoring testimony and/or having hearings, some Parties would like to move faster on testimony than the original schedule provided, and there was not a consensus on utilizing the Commissions' Alternative Dispute Resolution (ADR) Program. Appreciating Party positions on schedule, this revised ruling aims to strike a balance between moving this proceeding forward efficiently, and allowing for the time necessary to complete technical documents and analyses.

### **1.1. Testimony and Hearings**

While the SWRCB Engineering Report will be applicable to this proceeding, it is not connected to every issue in scope. The revised schedule recognizes this and provides Parties with the opportunity to amend testimony after the SWRCB Engineering Report is finalized. The revised dates for

testimony ensure this matter continues to move forward during the pendency of the SWRCB's technical documents. The revised schedule also includes a placeholder for hearings after the Engineering Report is finalized. The assigned ALJ will work with parties via procedural email to select date(s) for hearings post rebuttal testimony.

### **1.2. Coordination**

During the second PHC, it was discussed whether the Commission's Alternative Dispute Resolution (ADR) Program would be useful to Parties in this matter. Parties were not necessarily aligned with ADR. If Parties would like ADR services at any point in the proceeding they may reach-out to the assigned ALJ and ADR Neutral through the Commission's ADR webpage, at <https://ia.cpuc.ca.gov/form/page.aspx?id=27>.

Parties should utilize the Meet and Confer pursuant to Commission Rules of Practice and Procedure (Rules), Rule 13.9 to see if settlement on any issues is possible and /or if there is consensus on any scheduling concerns.

## **2. Revised Schedule**

The revised schedule below replaces the schedule adopted in Section 5 of the Scoping Ruling. No other changes to the Scoping Ruling are made via this ruling.

<b>EVENT</b>	<b>DATE</b>
SWRCB Workplan Filed	October 27, 2025
Motion for Interim Rate Relief	November 25, 2025
Scoping Ruling Issued	March 2, 2026
Public Participation Hearings	March 3, 2026
Intervenor Testimony	45 Days from Issuance of Ruling Revising Procedural Schedule
Rebuttal Testimony	30 Days after Intervenor Testimony

Meet & Confer pursuant to Rule 13.9	10 calendar days after rebuttal testimony
Status Conference	September 2026
Evidentiary Hearings	To be scheduled
SWRCB Final Engineering Report	February 2027
Amended Testimony	30 days after SWRCB Final Engineering Report is complete
Evidentiary Hearings	Additional hearing time if necessary, after SWRCB Engineering Report is complete
Concurrent Opening Briefs	To be set after SWRCB Engineering Report is complete
Concurrent Reply Briefs	To be set after SWRCB Engineering Report is complete
Submission	At the time of filing Concurrent Reply Briefs
Proposed Decision	90 days after Submission

**3. Pending Motions**

During the second PHC there were references to two pending motions in this proceeding: UPRR’s Motion for Interim Rates, filed November 25, 2025, and a Motion to Dismiss, filed October 31, 2025, by the Commission’s Office of Public Advocates, Clean Water Action, the Dolores Huerta Foundation and the National Chavez Center. While the revised schedule does not provide a date by which these motions will be resolved, this ruling notes that the Motion for Interim Rates will be addressed first.

**4. Technical Document Coordination**

During the second PHC it was discussed how the SWRCB can keep the Commission and the rest of the Parties to this proceeding informed on the status of the Test Well Design and Engineering Report timeline. This ruling requests that the SWRCB email the service list to this proceeding if there are any timing

updates as to Test Well Design (anticipated to be completed May 29, 2026); the Technical Memorandum (anticipated to be completed December 25, 2026); and the Final Signed Engineering Report (anticipated to be completed February 9, 2027). Timing updates will ensure that the Commission is aware of any schedule changes regarding these technical components of this proceeding. The SWRCB is ordered to make any documents available to the Commission that relates to this proceeding by filing them and/or filing a Notice of Availability pursuant to Rule 1.9(d).

**IT IS RULED that:**

1. The procedural Schedule adopted in Section 5 of the March 2, 2026 Scoping Ruling is revised to the Revised Schedule in Section 2 of this ruling.
2. The SWRCB is directed to provide technical documents pursuant to Section 4 of this ruling.

Dated June 8, 2026, at San Francisco, California.

/s/ SASHA GOLDBERG  
Sasha Goldberg  
Administrative Law Judge