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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Robin Mattern, Simki Kuznick, and
Asmara Marek,

Complainants,

vs.

Pacific Gas and Electric Company
(U39E),

Defendant.

Case 26-03-007

ASSIGNED COMMISSIONER'S SCOPING MEMO AND RULING

This scoping memo and ruling sets forth the issues, need for hearing, schedule, category, and other matters necessary to scope this proceeding pursuant to Public Utilities Code Section 1701.1 and Article 7 of the Commission's Rules of Practice and Procedure (Rules).

1. Background

On March 9, 2026, Robin Mattern, Simki Kuznick, and Asmara Marek (Complainants) filed this complaint to stop Pacific Gas and Electric Company (PG&E) from replacing an electric distribution pole on their property, and instead to require them to underground the infrastructure at their property.

On April 27, 2026, PG&E filed its answer. In its answer to the Complaint, PG&E noted the pole at issue was replaced on March 13, 2026.¹

On May 28, 2026, PG&E filed its prehearing conference (PHC) statement.

A PHC was held on June 8, 2026, to address the issues of law and fact, determine the need for hearing, set the schedule for resolving the matter, and address other matters as necessary. At the PHC, the Complainants raised issues with a second pole and PG&E's vegetation management.

On June 9, 2026, Complainants filed their post-PHC statement. On June 15, 2026, PG&E filed its post-PHC statement.

On June 18, 2026, PG&E filed an amended answer to the Complaint.

On July 7, 2026, Complainants filed their PHC statement.

After considering the Complaint, Answer, Amended Answer, the parties' PHC statements and post-PHC statements, and discussion at the prehearing conference, I have determined the issues and initial schedule of the proceeding to be set forth in this scoping memo. I have also determined that no environmental and social justice issues have been raised at this time.

2. Issues

The issues to be determined or otherwise considered are:

1. Has PG&E violated any Commission issued and/or administered rule, tariff and/or order while undertaking safety work on the Complainants' property, related to:
 - a. Pole replacement, and
 - b. Vegetation management?
2. Can/should the value of the replacement pole and other distribution infrastructure be conveyed to the Complainant's cost of undergrounding?

¹ PG&E Answer at 11.

3. Need for Evidentiary Hearing

Issue number 1 potentially includes contested, material issues of fact. Accordingly, we will allow parties to present evidence on this issue. If an evidentiary hearing is held, it is determined that one is necessary.

4. Schedule

The following schedule is adopted here and may be modified by the Administrative Law Judge (ALJ) as required to promote the efficient and fair resolution of the complaint:

Event	Date with Evidentiary Hearings	Date without Evidentiary Hearings
Joint Response filed stating whether Evidentiary Hearings are necessary and if so, providing lists of (1) all disputed material facts, (2) all witnesses and for each witness, the disputed material facts to which the witness will testify, and (3) direct and cross-examination estimate times for each witness a party proposes to conduct direct examination and cross-examination	September 17, 2026	
Status Conference	October 1, 2026	-
Evidentiary Hearing (if needed)	October 2026	-
Opening Briefs filed and served	30 days after Evidentiary Hearing	October 30, 2026
Reply Briefs filed and served (matter submitted)	21 days after Opening Briefs	November 20, 2026
Presiding Officer Decision, issued	No later than 60 days after submission	
Commission Decision, issued	No sooner than 30 days after Presiding Officer's Decision	

The proceeding will stand submitted upon the filing of reply briefs, unless the ALJ requires further evidence or argument. Based on this schedule, the proceeding will be resolved within 12 months as required by Public Utilities Code Section 1701.2(i). If evidentiary hearing is held, all hearing testimony will be oral.

5. Alternative Dispute Resolution (ADR) Program and Settlements

The Commission's Alternative Dispute Resolution (ADR) program offers mediation, early neutral evaluation, and facilitation services, and uses ALJs who have been trained as neutrals. At the parties' request, the assigned ALJ can refer this proceeding to the Commission's ADR Coordinator. Additional ADR information is available on the Commission's website.²

Any settlement between parties, whether regarding all or some of the issues, shall comply with Article 12 of the Rules and shall be served in writing. Such settlements shall include a complete explanation of the settlement and a complete explanation of why it is reasonable in light of the whole record, consistent with the law and in the public interest. The proposing parties bear the burden of proof as to whether the settlement should be adopted by the Commission.

6. Category of Proceeding and Ex Parte Restrictions

The Commission determined that this is an adjudicatory proceeding.³ Accordingly, ex parte communications are prohibited pursuant to Article 8 of the Rules.

² <https://www.cpuc.ca.gov/PUC/adr/>

³ Instructions to Answer at 1.

7. Public Advisor

Any person interested in participating in this proceeding who is unfamiliar with the Commission's procedures or has questions about the electronic filing procedures is encouraged to obtain more information at <https://www.cpuc.ca.gov/about-cpuc/divisions/news-and-public-information-office/public-advisors-office> or contact the Commission's Public Advisor at 866-849-8390 or 866-836-7825 (TTY), or send an e-mail to public.advisor@cpuc.ca.gov.

8. Filing, Service, and Service List

The official service list has been created and is on the Commission's website. Parties should confirm that their information on the service list is correct and serve notice of any errors on the Commission's Process office, the service list, and the ALJ. Persons may become a party pursuant to Rule 1.4.⁴

When serving any document, each party must ensure that it is using the current official service list on the Commission's website.

This proceeding will follow the electronic service protocol set forth in Rule 1.10, with one exception, such that all parties are excused from the Rule 1.10 requirement to serve on the ALJ both an electronic and a paper copy of filed or serviced documents. Therefore, when serving documents on Commissioners, their personal advisors, and the ALJ, parties must only provide electronic service, unless otherwise instructed by the ALJ. All parties to this proceeding shall serve documents and pleadings using electronic mail, whenever possible, transmitted no later than 5:00 p.m., on the date scheduled for service to occur.

⁴ The form to request additions and changes to the Service list may be found at <https://www.cpuc.ca.gov/-/media/cpuc-website/divisions/administrative-law-judge-division/documents/additiontoservicelisttranscriptordercompliant.pdf>

Persons who are not parties but wish to receive electronic service of documents filed in the proceeding may contact the Process Office at process_office@cpuc.ca.gov to request addition to the “Information Only” category of the official service list pursuant to Rule 1.9(f).

The Commission encourages those who seek information-only status on the service list to consider the Commission’s subscription service as an alternative. The subscription service sends individual notifications to each subscriber of formal e-filings accepted by the Commission. Notices sent through subscription service are less likely to be flagged by spam or other filters. Notifications can be for a specific proceeding, a range of documents and daily or weekly digests.

9. Receiving Electronic Service from the Commission

Parties and other persons on the service list are advised that it is the responsibility of each person or entity on the service list for Commission proceedings to ensure their ability to receive emails from the Commission. Please add “@cpuc.ca.gov” to your email safe sender list and update your email screening practices, settings and filters to ensure receipt of emails from the Commission.

10. Assignment of Proceeding

Karen Douglas is the assigned Commissioner and Jamie Ormond is the assigned Administrative Law Judge and presiding officer for the proceeding.

IT IS RULED that:

1. The scope of this proceeding is described above and is adopted.
2. The schedule of this proceeding is set forth above and is adopted.
3. If an evidentiary hearing is held, it is determined that one is necessary.
4. The presiding officer is Administrative Law Judge Jamie Ormond.

5. The category of the proceeding is adjudicatory.

Dated August 21, 2026, at San Francisco, California.

/s/ KAREN DOUGLAS

Karen Douglas
Assigned Commissioner