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P2604016

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Refine
the Risk Based Decision Making
Framework for Electric and Gas Utilities.

Rulemaking 26-04-016

**EMAIL RULING DENYING PUBLIC ADVOCATES OFFICE'S MOTION
RULEMAKING 26-04-016 RISK BASED DECISION MAKING**

Dated August 28, 2026, at San Francisco, California.

/s/ SARAH R. THOMAS

Sarah R. Thomas
Administrative Law Judge

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Subject: Email ALJ ruling denying Public Advocates Office's Motion R2604016
Risk Based Decision Making

To all persons interested in Rulemaking (R.) 26-04-016, the *Order Instituting Rulemaking (OIR) to Refine the Risk Based Decision Making Framework for Electric and Gas Utilities*:

This email ruling denies the Motion of the Public Advocates Office at the CPUC for Clarification of the Scoping Memo (Motion), filed on August 5, 2026 and supported by a filing of the Energy Producers and Users Coalition and Indicated Shippers on August 20, 2026. The Motion seeks to comment on the contents of the scoping memo issued in this proceeding on July 20, 2026, asserting that because the OIR gave dates for comment on the scoping memo, the scoping memo itself should have done so as well.

Parties had ample opportunity to comment on the schedule and scope of the proceeding, in their comments on the OIR, at the June 17, 2026 Prehearing Conference, and in their June 26, 2026 Response to my questions at the Prehearing Conference about schedule. Further, the Commission's Rules of Practice and Procedure, Rule 8.3, makes clear that the schedule of a proceeding is appropriately addressed in the scoping memo: "The assigned Commissioner shall issue the scoping memo for the proceeding, which shall determine the schedule (with projected submission date), issues to be addressed, and need for hearing."

Further, the April 30, 2026 OIR itself characterizes the schedule it sets as "preliminary" and states that "The assigned Commissioner or the assigned Administrative Law Judge (ALJ) may change the schedule to promote the efficient and fair administration of this proceeding." OIR at 17-18.

Public Advocates Office's Motion seeking to comment on the scoping memo therefore is denied.

IT IS SO RULED.

The Commission's Docket Office shall file this Ruling.

Sarah R. Thomas, Esq.

Senior Administrative Law Judge

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