



BEFORE THE PUBLIC UTILITIES COMMISSION

OF THE

STATE OF CALIFORNIA

FILED

10/19/26

10:29 AM

ADMINISTRATIVE LAW JUDGE THERESA MOORE, presiding A2605022

In the Matter of the Application of	)	PREHEARING
SFPP, L.P. (PLC-9) for Authority to	)	CONFERENCE
Increase Rates for Transportation of	)	
Refined Petroleum Products.	)	Application
	)	26-05-022
	)	

REPORTER'S TRANSCRIPT

Virtual Proceeding

October 13, 2026

Pages 1 - 22

Volume 1

Reported by: Rhonda Norberg, CSR No. 9265

PUBLIC UTILITIES COMMISSION STATE OF CALIFORNIA
SAN FRANCISCO, CALIFORNIA

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VIRTUAL PROCEEDING

OCTOBER 13, 2026 - 10:00 A.M.

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ADMINISTRATIVE LAW JUDGE MOORE: We are now on the record. Good day, everyone. I know we're in different time zones, so whether it's morning or afternoon, good day to everyone.

My name is Theresa Moore, and I am the administrative law judge assigned to this proceeding. It is 10:00 a.m. in California on Tuesday, October 13th, 2026; and we are conducting a prehearing conference for Application 26-05-022, the Application of SFPP LP for Authority to Increase Rates for Transportation of Refined Petroleum Products.

Before we get started, I would like to remind everyone to speak slowly and clearly and do not speak over one another so that our court reporter is able to accurately transcribe the prehearing conference. Please do not speak unless I call on you. Lastly, it is the obligation of the reporter to interrupt the proceedings when the record is in jeopardy due to the speed of the talk, unintelligible or simultaneous speakers, et cetera.

So the purpose of a prehearing conference is to discuss the scope and schedule of the proceeding. As

1 such, my agenda for today is to first go over the
2 service list, discuss the categorization of this
3 proceeding; then we'll follow with the state of the
4 companion proceeding and the progress of this particular
5 proceeding and the potential scope of issues, need for
6 hearings, and the schedule for the remainder of the
7 proceeding.

8 Nothing will be decided today, and a final
9 determination will be made in the scoping memo issued by
10 Commissioner Baker.

11 I don't know if an expedited transcript has
12 been ordered in this matter, but I want to inform anyone
13 desiring a transcript of today's hearing that they may
14 request one by emailing reporting@cpuc.ca.gov. That is
15 r-e-p-o-r-t-i-n-g@cpuc.ca.gov.

16 So the first order of business is to discuss
17 the service list. In Commission proceedings, the
18 applicant and those who have filed protests or responses
19 are automatically added to the service list. For each
20 company or organization, there will be one
21 representative listed as party. All others will be
22 listed as information only.

23 The party representatives will please now state
24 your name, spelling the last name only for the record,
25 and indicating the party you are proceeding -- or excuse

1 me -- the party you are representing.

2 Why don't we start with the applicant, SFPP.
3 Counsel?

4 MS. REPMAN: Thank you, your Honor. This is
5 Deborah Repman, R-e-p-m-a-n; and I represent the
6 applicant, SFPP LP.

7 ALJ MOORE: Thank you very much.
8 Marathon?

9 MS. McKENNA: Thank you, your Honor. This is
10 Lilly McKenna, M-c-K-e-n-n-a, appearing on behalf of
11 Marathon Petroleum Company LP.

12 ALJ MOORE: All right. Next?

13 MR. ADDUCCI: Your Honor, Steve Adducci with
14 the law firm of Venable LLP representing Chevron
15 Products Company, Phillips 66 Company, Valero Marketing
16 and Supply Company, Southwest Air -- Southwest Airlines
17 Company.

18 And I'd also like to enter the appearance of
19 Greg Wagner.

20 ALJ MOORE: Thank you.

21 MR. ADDUCCI: And I'll let Matt -- Matt Field
22 do his.

23 ALJ MOORE: Mr. Field?

24 MR. FIELD: Thank you, your Honor. Matthew
25 Field representing Southwest Airlines Company, and I'm

1 also with Venable LLP.

2 ALJ MOORE: Thank you, Counsel.

3 Pilot Shippers?

4 MR. BRILL: Good morning, your Honor. I'm
5 Thomas Brill, B-r-i-l-l. I represent the Pilot
6 Shippers, which is Pilot Travel Centers LLC, Pro
7 Petroleum LLC, Southern Counties Oil Company, and Tartan
8 Oil, LLC. And I am with the law firm Greenberg Traurig
9 LLP.

10 ALJ MOORE: Thank you, Counsel.

11 Is there anyone else in this hearing wishing to
12 become a party to this proceeding?

13 MR. ALBERT: Good afternoon, your Honor. This
14 is Eben Albert from the law firm Pierce Atwood LLP. I
15 represent, along with Randall Rich from Pierce Atwood,
16 PBF Holding Company LLC, who is not currently a party,
17 but we have indicated we do intend to file a motion to
18 intervene out of time.

19 ALJ MOORE: All right. Thank you, Counsel.

20 Could you explain to me what your interest in
21 the proceeding is?

22 MR. ALBERT: We -- as I mentioned, we represent
23 PBF Holding Company LLC. They're a party to the A.24
24 proceeding that I understand there was some discussion
25 about potentially consolidating with this proceeding,

1 and so our client would be looking to intervene in this
2 case if the cases are not consolidated.

3 Beyond that, I -- I'd defer to my colleague
4 Randall Rich, who will be joining in a little bit, to --
5 to discuss anything further about our interest in the
6 proceeding.

7 ALJ MOORE: All right. Thank you.

8 But today, you're just acting as an observer?

9 MR. ALBERT: That's correct, your Honor. Thank
10 you.

11 ALJ MOORE: All right. Thank you, Counsel.

12 All right. At this point, up to today, the
13 service list is complete. There may be some additives
14 at a future time.

15 As you know, the Commission encourages
16 electronic service and requires all documents to be
17 served electronically, to go to everyone on the list,
18 and that includes those who are listed as information
19 only.

20 Now we will discuss the categorization of this
21 proceeding. Resolution ALJ 176-3582, issued on
22 June 11th, 2026, categorizes this proceeding as
23 ratesetting. No party objected to the proposed
24 category, which it was required to do under Rule 2.6(d)
25 if it had any objections or proposed alternatives.

1 I agree that the ratesetting categorization is
2 logical for this case, and will recommend that to
3 Commissioner Baker. I will note here that the
4 ratesetting categorization triggers ex parte rules
5 described in Article 8 of the Commission's Rules of
6 Practice and Procedure.

7 Does anyone have any comments on the
8 ratesetting categorization?

9 (No response.)

10 ALJ MOORE: All right. Hearing none, let's
11 move to the issues in this application.

12 So I have before me Application 26-05-022, the
13 Application of SFPP to Increase Rates for Transportation
14 of Refined Petroleum Products, which was filed on
15 May 28th, 2026.

16 You are all counsel to the consolidated
17 proceedings in Application 24-01-020, consisting of four
18 applications, spanning 2021 through 2024, of SFPP to
19 increase rates in the same pipeline operations at issue
20 in this 2026 proceeding.

21 So requests have been made with differing
22 opinions on whether or not or how the proceeding -- this
23 proceeding should be consolidated with or not
24 consolidated with the previously consolidated
25 proceedings.

1 So just as we all know, there are many legal
2 and factual issues that are intertwined in these cases,
3 although it's my understanding from your recent filing
4 of the joint statement that no one at this point in the
5 proceeding is any longer requesting consolidation of
6 proceedings or dismissal or other motions of that
7 nature; is that correct?

8 MR. ADDUCCI: On behalf of my client, your
9 Honor -- this is Steve Adducci. We are not seeking
10 consolidation at this point in time.

11 MR. BRILL: That's also the case for the Pilot
12 Shippers, your Honor. We may or may not file other
13 motions; but right now, we have no current intention to
14 do so.

15 MS. REPMAN: That's the same with SFPP, your
16 Honor.

17 ALJ MOORE: All right. So there will be no
18 ruling on this. We'll see what happens in the 2024
19 proceedings, and -- and then we'll make further
20 decisions later with -- in the event that becomes
21 necessary for whatever reason. But let me go through
22 your joint prehearing conference statement now, and I
23 have a few questions.

24 All right. Just as a little background for the
25 record, the central legal issue to be decided in this

1 proceeding is whether the rate increases proposed in
2 this application for transportation of refined petroleum
3 products are just and reasonable and should be approved
4 by the Commission.

5 So in addressing that legal issue, the
6 principal disputed issue of fact are the amount of costs
7 to include in SFPP's costs of service and the throughput
8 that should be used to determine the appropriate rates.

9 In addition to that, there is a dispute whether
10 certain costs and revenues for SFPP's terminal -- in
11 their terminal services should be considered. SFPP
12 believes it should -- it is not their jurisdictional
13 assets, and the challengers argue that they are
14 jurisdictional assets. Some of the protestants are
15 seeking full refunds.

16 So the issues are intertwined in these two
17 cases. We will need a base year in order to determine
18 the rates for the 2026 proceeding; and these issues are
19 all intertwined, and they are important issues, but
20 there has been no final decision in the 2024
21 consolidated proceedings.

22 Now, with regards to settlement, my
23 understanding from your joint statement is that you do
24 not wish to be referred to the Alternative Dispute
25 Resolution of the CPUC, but you have begun or continued

1 your own settlement negotiations in this matter, and
2 that there is, quote, an offer pending, and you are
3 discussing that issue.

4 Is that correct, Counsel?

5 MS. REPMAN: Yes, your Honor, that's correct.

6 MR. ADDUCCI: Yes, your Honor, that's correct.

7 ALJ MOORE: All right. So it is everyone's
8 desire at this point to not make any decisions in this
9 case, and I'm interpreting that to mean including
10 scoping the issues at this point, pending the resolution
11 of the 2024 consolidated proceedings and pending your
12 negotiations and mediations that you are conducting
13 privately.

14 Is that correct?

15 MS. REPMAN: So on behalf of SFPP, your Honor,
16 I think we -- I generally agree with that with just one
17 clarification. It is -- I guess currently, the interim
18 proposed decision related to the terminal jurisdiction
19 is set for the October 29th agenda for the CPUC meeting,
20 so it's our expectation that it is possible that orders
21 may be issued in -- you know, within the -- within this
22 calendar year.

23 And so I don't think SFPP has agreed that this
24 proceeding can be held in abeyance pending the outcome
25 of the -- the consolidated A.21 through A.24; but given

1 that we anticipate that there may be some orders coming
2 out shortly, we agree to put -- that no further action
3 should happen on the A.26 case at least for the
4 remainder of the year, and that would help foster the
5 settlement discussions that are current between the
6 parties.

7 ALJ MOORE: All right. Thank you, Ms. Repman.
8 Any comments of protestants?

9 MR. ADDUCCI: Yes, your Honor. This is Steve
10 Adducci.

11 I generally agree with Ms. Repman's statements;
12 however, we also think that the October 29th preliminary
13 admission being on the agenda and being voted out
14 will -- will inform the parties.

15 We also expect that there may be another order
16 from you regarding costs of service issues in the
17 not-too-distant future, so it's not as if we believe
18 that you should in any way stop on the A.24, et al.,
19 proceedings.

20 It's just that we believe once further
21 decisions are actually made, made final, then we can
22 seek rehearing or whatever. That will -- that will
23 inform a schedule in -- on the A.26 matters and other
24 items, including what issues may or may not be in play.

25 ALJ MOORE: All right. Any further comments on

1 that?

2 MS. McKENNA: Marathon agrees. Thank you.

3 ALJ MOORE: Thank you. All right.

4 Now, so if there were a temporary pause in this
5 matter -- in light of the activity expected in the
6 consolidated 2024 matter, the joint statement indicated
7 that you were all requesting a pause, a temporary pause,
8 in this matter until January 15th, correct?

9 MR. ADDUCCI: Correct.

10 ALJ MOORE: All right. Now, can -- can the
11 parties explain how you got to the January 15th date?
12 Because that's three months away. So if you could
13 explain the request for the timing, that would be
14 helpful.

15 MR. ADDUCCI: I'll let Debbie go first.

16 MS. REPMAN: I think it was just -- again, I
17 think going with like keeping everything on pause with
18 the expectation that we may be better informed as to the
19 A.21 through A.24 proceeding by the end of the year. I
20 think that was the genesis of the January 15th date that
21 was stated in the prehearing conference.

22 I do know -- and I cannot recall if it was
23 stated expressly or not, but we are also willing to keep
24 your Honor informed, you know, status updates or
25 whatnot, if further additional delays may be

1 appropriate, you know, to, again, promote settlement
2 discussions, if those are still occurring at that point
3 or -- or there's additional actions that are taking
4 place that we don't anticipate today but that occur
5 within the -- by the end of the year.

6 So I -- I don't want to say it was a fudged
7 date, but it was a date to kind of keep it on temporary
8 pause at least until that period, and then perhaps we
9 could have an additional discussion at that point to see
10 whether the parties agree or not to move A.26 forward on
11 a standalone basis.

12 ALJ MOORE: Okay. And protestants, do you
13 agree with that statement?

14 MR. ADDUCCI: Yes, your Honor, we agree with
15 that statement.

16 ALJ MOORE: All right. So if -- if it were
17 paused until January 15th and you were just going to
18 give an update, then we still would not have had a
19 complete prehearing conference where issues are
20 discussed, nor would we have scoped the issues, so
21 are -- are -- you're not suggesting that we do another
22 prehearing conference on January 15th where we attempt
23 to scope the issues at that point, or hear motions on
24 dismissal, consolidation, the other motions that you
25 mentioned in your prior papers? How -- how do you see

1 that timing going?

2 If I could hear from all parties, that would be
3 great. Or I should say what are you requesting?

4 MS. REPMAN: So a prehearing conference may be
5 necessary in -- again, if this matter is not settled or
6 depending on the outcome of the A.21 through A.24
7 proceeding.

8 It's just there's just a lot of uncertainty
9 right now. So I think a scoping of the issues to be
10 decided in A.26 will be necessary, though I agree
11 that's -- I don't think that's appropriate for today.

12 And so, again, maybe -- maybe the suggestion is
13 by the end of the year, your Honor, the parties can
14 collectively provide you with an indication as to where
15 we think we stand at that point, and then perhaps the
16 January 15th is the appropriate new prehearing
17 conference to discuss the substantive matters that you
18 indicated or further delay, if that is something that
19 your Honor is willing to consider at that point given
20 what is happening at that point, would be my suggestion
21 or proposal.

22 ALJ MOORE: Protestants?

23 MR. ADDUCCI: Speaking on behalf of my client,
24 your Honor, in my mind, I was thinking the January 15th
25 date would be a status update identifying whether a

1 scoping memo would be appropriate at that time.

2 In the interim period between now and
3 January 15th, however -- assuming, you know, the order
4 gets voted out on the 29th and your Honor issued any
5 other decisions in the A.24 proceeding, that may trigger
6 additional filings associated with A.26 not related to
7 schedule; and at that time, those could be decided and
8 that 15th date could say yes, we're ready to do a
9 scoping memo or is a scoping memo -- should it be
10 delayed, should it be -- is it necessary at that point,
11 because there's -- there's a number of permutations that
12 I can think of between now and the 15th based on orders
13 that are voted out or orders that are issued by
14 yourself, and just right now, it's kind of complicated
15 and it's hard to predict what happens in that timeframe.

16 ALJ MOORE: All right.

17 MR. BRILL: Your Honor, Tom Brill for the Pilot
18 Shippers.

19 We would agree. The biggest issue that we have
20 is that we cannot identify the issues in the 26
21 proceeding until we've seen at least the interim
22 decision, and preferably both decisions, in the
23 consolidated docket.

24 Once we have seen those decisions, we'll be
25 able to more clearly identify the issues; and from that,

1 we would be able to advise the Commission appropriately
2 in January.

3 ALJ MOORE: All right. Anyone -- anyone
4 further?

5 MS. McKENNA: Marathon agrees with what the
6 parties have stated, and we don't feel strongly whether
7 we have a status conference at the end of the year or
8 provide an update, a filing with an update, by the end
9 of the year, and then move the January 15 date to a
10 prehearing conference.

11 But it seems a date with ample room, hopefully,
12 with the proceeding, the consolidated proceeding, moving
13 forward with the final decision on the October 29th.

14 ALJ MOORE: All right. So is the preference to
15 have just a filing by January 15th or to have a
16 conference such as this on January 15th? Which one
17 gives you -- each party the time you need?

18 MR. ADDUCCI: I think if we had a conference on
19 January 15th, we could inform you of the status of the
20 proceedings versus any type of pleading, because even
21 like in this conference, I think you're being helped by
22 having a conversation with us on where things stand
23 versus a -- just a standalone pleading that you may have
24 questions on.

25 So if we just set up a conference for

1 January 15th to give you a status update where you can
2 inquire about anything around those proceedings or the
3 A.24 proceeding -- if that would be the most helpful to
4 you, I'm all in favor of that, of having an actual
5 conference where you're sitting in and can ask
6 questions.

7 ALJ MOORE: Okay. Anyone else?

8 MS. REPMAN: That's fine with SFPP, your Honor.

9 ALJ MOORE: All right. Why don't we
10 tentatively schedule a status conference -- a Webex
11 status conference for January 15th. I would like a
12 joint statement in advance, similar to what you've
13 provided to me in the past and have provided on this
14 occasion. We could kind of use that as an agenda for
15 the major issues that we need to discuss. And I would
16 need that before the January 15th date.

17 Since the statement you provided today has
18 certain issues or comments that are not -- will not
19 necessarily be relevant to our status conference, you
20 can use the outline I gave you before, but adjust it
21 jointly, come up with a joint outline.

22 You can remove certain issues that are no
23 longer or will not be relevant for that conference, but
24 I will allow you to do that. And I will probably need
25 that two days in advance, so I would need that by the

1 13th, and then we can have another hearing on the 15th
2 and discuss the issues.

3 What day of the week is the 15th?

4 MS. REPMAN: It's a Friday.

5 ALJ MOORE: All right. I have to look a little
6 further at my calendar and see if that's an issue. If
7 that's an issue, I'll ask you to come up with three --
8 jointly come up with three other dates and I'll pick one
9 of those.

10 MR. ADDUCCI: Assuming the 13th works, is that
11 at noon West Coast time or is that just close of
12 business on the 13th?

13 ALJ MOORE: No, I think earlier is better.
14 What time is it where you are now?

15 MR. ADDUCCI: 1:25.

16 ALJ MOORE: Okay. It's 10:00 a.m. here, and I
17 think you're the -- you're the -- are you the
18 furthest-east timeline?

19 MR. ADDUCCI: Yes, we're the furthest east.

20 ALJ MOORE: All right. So I'm open to the
21 time, but it depends on the day, so I'll -- I'll -- I'll
22 keep that in mind, Mr. Adducci, but it depends on the
23 day we choose, what's available.

24 MR. ADDUCCI: Okay.

25 ALJ MOORE: All right. Anything else?

1 MS. McKENNA: Your Honor, one question I had.
2 For the sake of efficiency, to the extent that things
3 have progressed enough in the consolidated proceedings
4 and we were ready to move forward with a prehearing
5 conference on January 15th, would it be helpful and even
6 feasible if we included a statement in our pleading
7 stating as much, and then we could convert, perhaps,
8 the -- the meeting on January 15th to a PHC to avoid
9 having a status conference and then later a PHC?

10 ALJ MOORE: Yes.

11 MS. McKENNA: I'm not sure if that's possible.

12 ALJ MOORE: Yes. That would be -- that would
13 be fine.

14 MS. McKENNA: Okay. Thank you, your Honor.

15 ALJ MOORE: I guess it just depends what's
16 happening at that point.

17 And so, then, in light of the fact what I'm
18 being told is that you are -- have been in contact with
19 settlement, you are waiting on the pending decisions
20 and/or rulings that will be coming out, but you are in
21 conversation with these issues on both -- on this case
22 and the prior consolidated case, which is deeply
23 intertwined with this, and you are mediating on your
24 own, and you're negotiating to potentially come to a
25 resolution, and that is why you are requesting a

1 continuance -- or a "hold this in abeyance" short time
2 until January -- is that correct?

3 MS. REPMAN: Yes, your Honor.

4 MR. ADDUCCI: Yes, your Honor.

5 ALJ MOORE: All right. Then based on that
6 proposition, I will issue a ruling holding this in
7 abeyance until the 15th of January. We will have a
8 hearing on or about the January 15th date.

9 If that date doesn't work, I'll send you an
10 email and ask you to come up with three other joint --
11 other possible dates, and we will schedule it for a
12 status conference and, possibly, the prehearing
13 conference.

14 And if you are all aware of the fact that we
15 will need that prehearing conference to be able to scope
16 the issues on that date, let me know as early as you
17 possibly can, would be helpful. So rather than giving
18 me maybe three days' notice, since -- I'm also out a lot
19 in the beginning of January, so notice would help me
20 time-wise if you know that you want to go forward with
21 the scoping of the issues.

22 But, again, I will rely a lot on your joint
23 filing for that particular hearing, whether it's a
24 status conference or a prehearing conference. All
25 right?

1 MS. REPMAN: Yes, your Honor.

2 ALJ MOORE: All right. Thank you very much.

3 So any -- is there anything else?

4 MS. REPMAN: Nothing from us, your Honor, SFPP.

5 MR. BRILL: Nothing from us.

6 MR. ADDUCCI: Nothing from us, your Honor.

7 MS. McKENNA: For Marathon?

8 ALJ MOORE: Thank you very much, then. Hearing
9 no further requests or questions, I thank you all for
10 your participation today and we are adjourned and we are
11 off the record.

12 (At the hour of 10:29 a.m., this matter
13 having been concluded, the Commission then
14 adjourned.)

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BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE
STATE OF CALIFORNIA

CERTIFICATION OF TRANSCRIPT OF PROCEEDINGS

I, RHONDA NORBERG, CERTIFIED SHORTHAND REPORTER
NO. 9265, IN AND FOR THE STATE OF CALIFORNIA, DO HEREBY
CERTIFY THAT THE PAGES OF THIS TRANSCRIPT PREPARED BY ME
COMPRISE A FULL, TRUE, AND CORRECT TRANSCRIPT OF THE
TESTIMONY AND PROCEEDINGS HELD IN THIS MATTER ON OCTOBER
13, 2026.

I FURTHER CERTIFY THAT I HAVE NO INTEREST IN THE
EVENTS OF THE MATTER OR THE OUTCOME OF THE PROCEEDING.

EXECUTED THIS 19TH DAY OF OCTOBER, 2026.


RHONDA NORBERG
CSR NO. 9265

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