BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

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Maria Cordova, Complainant, vs. Southern California Edison Company (U338E), Defendant.	**(ECP)** **Case (C.) 26-09-023** (Filed September 11, 2026)

SOUTHERN CALIFORNIA EDISON COMPANY'S (U 338-E) MOTION TO DISMISS COMPLAINT FOR LACK OF JURISDICTION AND FAILURE TO STATE A CLAIM

ROBERT ROJAS

Advisor for
SOUTHERN CALIFORNIA EDISON COMPANY

2244 Walnut Grove Avenue
Post Office Box 800
Rosemead, California 91770
Telephone: (626) 302-0274
E-mail: Robert.1.Rojas@sce.com

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I.

RELIEF REQUESTED

Pursuant to Rules 11.1 and 11.2 of the California Public Utilities Commission's Rules of Practice and Procedure, Southern California Edison Company (SCE) respectfully moves to dismiss the Expedited Complaint of Maria Cordova (Complainant). This motion presents a threshold legal issue: the only relief Complainant confirms she seeks is an order requiring SCE to inspect customer-side internal wiring inside her business unit and the wiring extending from the unit's electrical panel. This requested work pertains to a privately-owned premises wiring, and does not involve an SCE-owned meter or other SCE Service Facilities.

Public Utilities (PU) Code section 1702 authorizes a complaint against a regulated utility only when the complaint identifies an act or omission by the utility that violates a law or a Commission order or rule. The Complaint identifies no tariff, law, decision, or Commission rule requiring SCE to inspect, trace, repair, or reconfigure privately owned interior wiring. SCE Rule 16 defines the SCE-owned service facilities for which SCE is responsible; interior branch circuits and wiring on the customer side of the service delivery point are not among them. Because the Commission cannot impose on SCE a duty that its tariffs do not create, the requested order is not relief available against SCE under PU Code section 1702.

SCE therefore requests an order dismissing the Complaint. In the alternative, SCE requests that the Commission dismiss the request concerning internal wiring and limit the November 20, 2026, hearing, if any, to a specifically pleaded claim that SCE violated an identified tariff, rule, order, or law.

II.

RELEVANT BACKGROUND

Complainant receives electric service from SCE at *10886 Atlantic Avenue in Lynwood*. Her Complaint alleges unusually high usage and billing and questions whether her meter may serve another portion of the premises. Furthermore, her Complaint asks the Commission to require investigation of the electrical service and meter configuration, determine whether the electricity billed to her account served only her business, correct any condition within SCE's responsibility, and provide any appropriate billing adjustment.

SCE investigated the crossed-meter allegation on May 27, 2026. SCE personnel verified the load associated with the relevant service locations confirmed that the meter assigned to Complainant's business was assigned to her unit, and found no crossed-meter condition. SCE later attempted additional meter testing on June 30, 2026, but the test could not be completed because the access and authorization needed to enter the meter room or cabinet and evaluate the relevant areas of the property were not provided.

On October 27, 2026, Robert Rojas of SCE spoke with Complainant about the Complaint and the relief she wanted from the Administrative Law Judge. Complainant confirmed that the order she seeks is an order requiring SCE to review or inspect the internal wiring inside her business unit and the internal wiring running from her electrical panel. (Declaration of Robert Rojas (Rojas Decl.), paragraphs 3-5.) That clarification places the requested relief outside the scope of SCE's tariff and personnel responsibility and presents a legal issue suitable for resolution without an evidentiary hearing.

III.
GOVERNING STANDARD

A. Rules 11.1 and 11.2 authorize this motion

Rule 11.1 defines a motion as a request that the Commission or assigned Administrative Law Judge take specific action in an open proceeding. A written motion must be filed and served and must concisely state the supporting facts and law and the specific relief requested. This motion does so and is supported by the accompanying declaration.

Rule 11.2 provides that a pleading-based motion to dismiss, other than a motion based on lack of jurisdiction, must be made no later than five days before the first day of hearing. This motion is based principally on lack of jurisdiction to award the clarified relief and, in all events, is filed more than five days before the hearing scheduled for November 20, 2026.

B. A complaint must allege a utility act or omission that violates an identified legal requirement

Section 1702 requires a complaint to set forth an act or omission by a public utility that violates, or is claimed to violate, a provision of law or an order or rule of the Commission. Rule 4.2(a) likewise requires the complaint to identify the specific act complained of the facts constituting the grounds of the complaint, the injury, and the exact relief requested.

The Commission has held that a complaint must satisfy both parts of section 1702: it must allege an act or omission by a regulated utility and allege that the act or omission violates a law or Commission order or rule. A complaint that fails that two-part test should be dismissed. Decision (D.) 12-07-004, Standard for Ruling on a Motion to Dismiss; see also D.09-11-017 at 3; D.06-06-011 at 4.

C. Dismissal is proper when no material factual dispute can change the legal result

Under D.12-07-004 and D.94-04-082, a motion to dismiss may be resolved on undisputed facts and matters of law. When testing the sufficiency of the pleading, well-pleaded factual allegations are taken as true; dismissal is nevertheless proper when the defendant is entitled to prevail as a matter of law. A jurisdictional question and the interpretation of a tariff are legal issues. Here, accepting Complainant's allegations concerning high usage and her internal-wiring concern does not create a tariff duty requiring SCE to inspect customer-owned premises wiring.

IV.
ARGUMENT

A. The clarified relief concerns privately owned internal wiring, not SCE Service Facilities

SCE Rule 16 draws the governing ownership line. Rule 16.A.2 states that SCE Service Facilities consist of service conductors, poles supporting overhead service conductors, service transformers, SCE-owned metering equipment, and other SCE-owned service-related equipment. Rule 16.A.3 provides that qualifying Service Facilities are owned, operated, and maintained by SCE. Rule 16.A.4 separately provides that SCE is not required to connect Service Facilities to, or serve an applicant from, electric facilities that SCE does not own, operate, and maintain.

The wiring Complainant identified in her October 27, 2026, discussion is wiring inside her business unit and wiring extending from her electrical panel. On the facts as clarified by Complainant, that wiring is not an SCE-owned meter, transformer, service conductor, pole, or other SCE-owned service-related equipment described in Rule 16. An investigation intended to trace which interior circuits or other portions of a multi-tenant building are supplied from a private panel is work for the property owner and a qualified electrical contractor, subject to applicable local permitting and safety requirements.

The Complaint itself recognizes this boundary by asking SCE to correct only an improper meter or service condition "within SCE's responsibility." The latter clarification identifies no such SCE-owned condition. It instead asks the Commission to require SCE to enter the premises and evaluate customer-side wiring. Rule 16 supplies no basis for that action.

B. Section 1702 does not authorize an order imposing a non-tariff duty on SCE

The Commission's complaint jurisdiction is directed to acts or omissions of a regulated public utility that violate law or a Commission order or rule.[1] The Commission may determine whether SCE complied with its filed tariffs, but it may not create, through an individual complaint, an obligation requiring SCE to inspect private facilities that the applicable tariff assigns outside SCE's ownership and maintenance responsibility.

Complainant has not identified any tariff provision, Commission decision, General Order, or statute requiring SCE to trace interior wiring from a customer electrical panel or determine how a property owner configured private circuits within a multi-tenant premises. Without an identified legal duty, the alleged failure to perform that work cannot satisfy PU Code section 1702. The clarified request therefore presents no claim on which the Commission can order relief against SCE.

C. The Complaint does not plead the predicate SCE error required for a Rule 17 billing adjustment

To the extent the original Complaint can still be read to request a refund or credit, it does not plead the predicate SCE error required by SCE Rule 17. Rule 17 defines a billing error as an SCE error that results in incorrect billing charges.[2] The Complaint does not identify an incorrect meter read, a defective SCE meter, an incorrect rate calculation, or a crossed meter assignment. It instead asks whether electricity accurately measured through Complainant's assigned meter may have flowed through private wiring to another portion of the property.

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1 PU. Code section 1702.

2 Decision (D.) 08-03-008, section 3.1.

Even if that question is taken as true and remains unresolved, it does not establish an SCE billing error. A private wiring configuration downstream of a correctly assigned meter does not make the meter reading inaccurate and does not establish that SCE applied the wrong tariff or charge. The Commission has recognized that utility tariffs govern the service relationship and that Rule 17 controls billing adjustments.[3] Because the Complaint does not allege facts establishing an SCE error within Rule 17, the request for monetary relief also fails to state a claim.

D. No evidentiary hearing can supply jurisdiction over the requested internal-wiring relief

The dispositive issue is not whether Complainant sincerely believes an internal wiring problem exists. For purposes of this motion, SCE assumes that concern is genuine. The dispositive issue is whether any Commission rule or SCE tariff requires SCE to perform the customer-side investigation Complainant requests. None does. Additional testimony about the amount of usage or the layout of private circuits cannot create a tariff duty or expand the relief available under PU Code section 1702.

Dismissal will avoid an unnecessary expedited hearing on relief the Commission cannot order against SCE. If the Commission determines that some distinct tariff claim remains, it should at minimum dismiss the internal-wiring request and require Complainant to identify the specific SCE act or omission and the tariff, rule, order, or law allegedly violated before any remaining claim proceeds.

[3] D.08-03-008, sections 3.1 and 3.7.

V.

CONCLUSION

For the reasons above, SCE respectfully requests that the Commission:

- Dismiss the Complaint in its entirety because the clarified relief concerns privately owned internal wiring outside SCE's tariff responsibility and the Complaint does not state a claim under PU Code section 1702;
- Cancel the November 20, 2026, expedited complaint hearing; or
- Alternatively, dismiss the request that SCE inspect or trace customer-owned internal wiring and limit any remaining hearing to a specifically pleaded allegation that SCE violated an identified tariff, Commission rule or order, or provision of law.

Respectfully submitted,

ROBERT ROJAS

/s/ Robert Rojas

By: Robert Rojas

Advisor for
SOUTHERN CALIFORNIA EDISON COMPANY

2244 Walnut Grove Avenue Post
Office Box 800 Rosemead,
California 91770
Telephone: (626) 302-0274
E-mail: Robert.1.Rojas@sce.com

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