

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

Order Instituting Rulemaking to  
Establish Energization Timelines.

FILED  
PUBLIC UTILITIES COMMISSION  
JANUARY 25, 2024  
SACRAMENTO, CALIFORNIA  
RULEMAKING 24-01-018

**ORDER INSTITUTING RULEMAKING TO  
ESTABLISH ENERGIZATION TIMELINES**

This rulemaking is opened to allow the Commission to provide guidelines and set timelines for the energization of electrical corporation customers. This rulemaking seeks to implement certain provisions of Senate Bill 410 (Stats. 2023, ch. 394) and Assembly Bill 50 (Stats. 2023, ch. 317), which require the Commission to establish reasonable average and maximum target energization time periods, and a procedure for customers to report energization delays to the Commission, among other requirements.

**1. Background**

Senate Bill 410 (Stats 2023, ch. 394) (SB 410) requires the Commission and the electrical corporations to undertake a variety of activities to promote timely energization of customer connections in California. Assembly Bill 50 (Stats. 2023, ch. 317) (AB 50) requires the Commission to determine the criteria for timely service for electric customers to be energized, including, among other things, categories of timely electric service through energization. AB 50 also requires the electrical corporations to meet certain energization timeliness, targets and make

changes to their distribution planning processes, to be determined by the Commission.

## **2. Purpose of the Proceeding**

The purpose of this proceeding is to implement some of the requirements of SB 410 and AB 50. This proceeding will not resolve all requirements created by those laws, and remaining requirements will be scoped into other Commission proceedings, where appropriate.<sup>1</sup> This instant proceeding will focus on the following actions that the Commission must take by September 30, 2024:

- Establish reasonable average and maximum target energization time periods per Public Utilities Code Section 934(a)(1).<sup>2</sup>
- Establish a procedure for customers to report energization delays per Section 934(a)(2).

This proceeding will also address additional Commission responsibilities under SB 410 and AB 50 that are related to the above actions, including but not limited to the following:

- Determining the criteria for timely service for electric customers to be energized per Section 933.5(a) and for upgraded electric customer service per Section 933.5(d).
- Establishing annual reporting requirements on customer energization for the electrical corporations to be used to evaluate the electrical corporations'

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<sup>1</sup> In Phase 2 of PG&E's General Rate Case proceeding, the Commission will address PG&E's request for a ratemaking mechanism and required qualifications for the third-party auditor pursuant to SB 410. Any additional requests for ratemaking mechanisms from electric corporations will also address required qualifications for third-party auditors.

<sup>2</sup> All further references to "section" are to sections of the Public Utilities Code unless otherwise noted.

fulfillment of timely electric service per Section 933.5(a)(2)(A).

- Annually convening a public workshop for the electrical corporations to discuss their reports with interested parties and experts in customer energization per Section 933.5(a)(3).
- Providing a forum for docketing of electrical corporation reports on energization and consideration of actions to take in light of those reports per Sections 933.5(b), 933.5(d), and 934(d).

### **3. Preliminary Scoping Memo**

This rulemaking will be conducted in accordance with Article 6 of the Commission's Rules of Practice and Procedure (Rules). As required by Rule 7.1(d), this Order Instituting Rulemaking (OIR) includes a preliminary scoping memo as set forth below, and preliminarily determines the category of this proceeding and the need for hearing.

In this Preliminary Scoping Memo, we describe the issues to be considered in this proceeding and the timetable for the proceeding. In response to this OIR, parties will have the opportunity to provide preliminary comments on the issues raised. The assigned Commissioner will issue a Scoping Memo and Ruling that will establish the issues and procedural path in greater detail after comments are received on this OIR. As this rulemaking is preliminarily categorized as quasi-legislative, the assigned Commissioner may make a determination not to hold a pre-hearing conference (PHC).<sup>3</sup> This OIR anticipates that no PHC will be held.

### **4. Preliminary Issues**

The preliminary issues for the scope of this proceeding are as follows:

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<sup>3</sup> Rule 7.2(b).

1. What are the reasonable average and maximum target energization time periods that the Commission should establish for the electrical corporations pursuant to Section 934(a)(1)?
2. What is the procedure for customers to report energization delays for new and upgraded service connections to the Commission that should be established pursuant to Section 934(a)(2)?
3. What are the criteria for timely energization of electric service that the Commission should establish pursuant to Section 933.5(a)?
4. What are the annual reporting requirements for the electrical corporations that should be established by the Commission pursuant to Section 933.5(a)(2)?
5. Any additional actions necessary for the Commission to implement Sections 933.5(a)(3), 933.5(b), 933.5(d), 934, and 935.

**5. Preliminary Schedule**

The preliminary schedule for this proceeding is presented below.

<b>Event</b>	<b>Date</b>
Opening Comments on OIR filed and served	Within 20 days of the issuance date of this OIR
Reply Comments on OIR filed and served	Within 10 days of the date opening comments are due
Opening Workshop	February 2024
Scoping Memo and Ruling issued	March 2024
Party Comments on Scoped Issues	April and May 2024
Proposed Decision issued	No later than 90 days after submission of the record
Commission Decision	No sooner than 30 days after issuance of Proposed Decision

The assigned Commissioner or the assigned Administrative Law Judge (ALJ) may change the schedule to promote efficient and fair administration of this proceeding. The proceeding will stand submitted upon the filing of the final round of party comment on the issues within the scope of this proceeding, unless the ALJ requires further argument. Based on this schedule, the proceeding will be resolved within 18 months as required by Public Utilities Code Section 1701.5.

**6. Category of Proceeding and Ex Parte Restrictions**

The Rules require that this OIR preliminarily determine the category of the proceeding and the need for hearing. As a preliminary matter, we determine that this proceeding is quasi-legislative. Accordingly, *ex parte* communications are permitted per Article 8 of the Rules of Practice and Procedure. However, parties are reminded to not contact the assigned ALJ outside of a publicly-noticed forum, except that parties may send procedural questions by email to the assigned ALJ.

The Commission is also required to preliminarily determine if hearings are necessary. We preliminarily determine that hearings are not necessary for this proceeding.

**7. Respondents**

All of the electrical corporations are named as respondents to this OIR: Southern California Edison Company, San Diego Gas & Electric Company, Bear Valley Electric, Inc., PacifiCorp d.b.a. PacificPower, Liberty Utilities, and Pacific Gas and Electric Company.

**8. Service of OIR**

In the interest of broad notice, this OIR will be served on the official service lists for Rulemaking (R.) 18-12-006, R.23-12-008, R.21-06-017, R.22-07-005, R.17-07-007, and Application 21-06-021.

Service of the OIR does not confer party status or place any person who has received such service on the Official Service List for this proceeding. Instructions for obtaining party status or being placed on the official service list are given below.

**9. Filing and Service of Comments and Other Documents**

Filing and service of comments and other documents in the proceeding are governed by the Rules.

Parties are instructed to only serve documents on the assigned Commissioner, advisors to the assigned Commissioner, and the assigned ALJ by electronic copy and not by paper copy, unless specifically instructed to do otherwise.

**10. Addition to the Official Service List**

Addition to the official service list is governed by Rule 1.9(f). Any entity will be added to the “Information Only” category of the official service list upon request, for electronic service of all documents in the proceeding, and should do so promptly to ensure timely service of comments and other documents and correspondence in the proceeding. (*See* Rule 1.9(f).) The request must be sent to the Process Office by e-mail ([process\\_office@cpuc.ca.gov](mailto:process_office@cpuc.ca.gov)). Please include the Docket Number of this rulemaking in the request.

Entities that file responsive comments to the OIR thereby become parties to the proceeding (*see* Rule 1.4(a)(2)) and will be added to the “Parties” category of the official service list upon such filing. To assure service of comments and other documents and correspondence in advance of obtaining party status, persons should promptly request addition to the “Information Only” category as described above; they will be removed from that category upon obtaining party status.

### **11. Subscription Service**

Entities not wishing to become parties may monitor the proceeding by subscribing to receive electronic copies of documents in this proceeding that are published on the Commission's website. There is no need to be on the official service list to use the subscription service. Instructions for enrolling in the subscription service are available on the Commission's website at <http://subscribecpuc.cpuc.ca.gov/>.

### **12. Intervenor Compensation**

Intervenor compensation is permitted in this proceeding. Pursuant to Section 1804(a)(1), a customer who intends to seek an award of compensation must file and serve a notice of intent to claim compensation by 30 days after the PHC. As a PHC is not anticipated in this proceeding, notices of intent to claim compensation must be filed no later than 30 days after the issuance date of this OIR. Parties that are not familiar with participation in Commission proceedings may contact the Commission's Public Advisor to learn more about the Intervenor Compensation process.

### **13. Public Advisor**

Any person or entity interested in participating in this rulemaking who is unfamiliar with the Commission's procedures should contact the Commission's Public Advisor in San Francisco at 1-415-703-2074 or 1-866-849-8390 or e-mail ([public.advisor@cpuc.ca.gov](mailto:public.advisor@cpuc.ca.gov)). The TTY number for the Public Advisor is 1-866-836-7825.

## **O R D E R**

**IT IS ORDERED** that:

1. This Order Instituting Rulemaking is adopted pursuant to Rule 6.1 of the Commission's Rules of Practice and Procedure.

2. All the electrical corporations operating in California, as listed in Section 7 above, must respond to this Order Instituting Rulemaking.
3. The preliminary categorization of this rulemaking is quasi-legislative.
4. The preliminary determination is that evidentiary hearings are not needed for this rulemaking.
5. The preliminary scope of issues is as stated above in Section 3.
6. Any entity may file and serve opening comments responding to this Order Instituting Rulemaking within 20 days of the issuance date of this Order Instituting Rulemaking.
7. Any entity may file and serve reply comments responding to this Order Instituting Rulemaking within 10 days of the date opening comments are due.
8. The Executive Director will cause this Order Instituting Rulemaking to be served on the service lists for Rulemaking (R.) 18-12-006, R.21-06-017, R.17-07-007, R.23-12-008, R.22-07-005, and Application 21-06-021.



9. Any party that expects to claim intervenor compensation for its participation in this rulemaking must file its notice of intent to claim intervenor compensation within 30 days of the issuance date of this Order Instituting Rulemaking.

This order is effective today.

Dated January 25, 2024, at Sacramento, California.

ALICE REYNOLDS  
President  
GENEVIEVE SHIROMA  
DARCIE L. HOUCK  
JOHN REYNOLDS  
KAREN DOUGLAS  
Commissioners