

Decision 24-05-012 May 9, 2024

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Salvation Army Westwood Village,

Complainant,

vs.

Southern California Edison Company
(U338E),

Defendant.

(ECP)
Case 23-06-010

ORDER EXTENDING STATUTORY DEADLINE

Summary

This decision extends the statutory deadline of this proceeding to December 31, 2024.

1. Background and Justification

On June 14, 2023, Salvation Army Westwood Village (Salvation Army) filed this complaint against Southern California Edison Company (SCE) (U338E) (jointly, the Parties.) On June 28, 2023, the Commission served the *Instruction to Answer* on SCE. The *Instruction to Answer* preliminarily determined that this complaint is adjudicatory. SCE filed its Answer on July 28, 2023.

A prehearing conference (PHC) was set for November 15, 2023. The Salvation Army failed to appear at the PHC. On November 15, 2023, the assigned Administrative Law Judge (ALJ) issued a ruling requiring the Salvation Army to establish good cause for failing to appear at the PHC. The Salvation Army's representative was unable to appear at the initially scheduled PHC due to a medical emergency. The PHC was reset to February 16, 2024.

During the February 16, 2024 PHC, the Parties indicated that they were attempting to resolve the matter informally and requested that the procedural schedule be suspended until March 18, 2024, so that they could continue to engage in settlement discussions.

On March 13, 2024, SCE e-mailed the Service List to inform the assigned ALJ that the attorney of record for SCE in this matter was no longer employed at SCE and a new attorney was recently assigned to represent SCE. SCE requested an additional 30-day suspension to the procedural schedule so that SCE and the Salvation Army could continue to engage in settlement talks and potentially avoid the need for an evidentiary hearing in this matter. SCE's request was granted on March 13, 2024, and the proceeding schedule was suspended until close of business April 17, 2024, at which time the parties are to report to the assigned Administrative Law Judge (ALJ) on the settlement status.

Public Utilities (Pub. Util.) Code § 1701.2(i) provides that adjudicatory cases shall be resolved within 12 months of initiation unless the Commission makes findings why that deadline cannot be met and issues an order extending the deadline.

Currently the deadline for completing this matter is June 14, 2024. If the matter does not fully settle by April 17, 2024, then, the Commission will be unable to resolve the matter by the current statutory deadline date as evidentiary

hearings will need to be held; the parties must be afforded time and opportunity to file opening and reply briefs; and time for the Commission to evaluate the evidence and issue a decision. Accordingly, it is appropriate to extend the statutory deadline until December 31, 2024.

2. Waiver of Comment Period

Under Rule 14.6(c)(4) of the Commission's Rules of Practice and Procedure, the Commission may reduce or waive the period for public review and comment of proposed decisions extending the deadline for resolving a proceeding. Accordingly, the otherwise applicable period for public review and comment on an extension order issued pursuant to Pub. Util. Code § 1701.2(i) is being waived.

3. Assignment of Proceeding

Commissioner Darcie L. Houck is the assigned Commissioner and Gerald F. Kelly is the assigned ALJ and presiding officer in this proceeding.

Findings of Fact

1. The statutory deadline for resolving this proceeding is June 14, 2024.
2. If the Parties are unable to resolve the matter informally, an extension of the statutory deadline until December 31, 2024, is necessary to resolve this proceeding.

Conclusion of Law

1. Pursuant to the Commission's authority under Pub. Util. Code § 1701.2(i) the statutory deadline should be extended until December 31, 2024.

O R D E R

IT IS ORDERED that the statutory deadline in this proceeding is extended until December 31, 2024.

This order is effective today.

Dated May 9, 2024, at Sacramento, California.

ALICE REYNOLDS
President
DARCIE L. HOUCK
JOHN REYNOLDS
KAREN DOUGLAS
MATTHEW BAKER
Commissioners