

Decision 25-10-021 October 9, 2025

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Jim Irizarry,

Complainant,

vs.

Case 23-02-003

Pacific Gas and Electric Company
(U39E),

Defendant.

ORDER EXTENDING STATUTORY DEADLINE

Summary

This decision extends the statutory deadline in this proceeding until April 3, 2026.

1. Background and Justification

Public Utilities Code (Pub. Util. Code) Section 1701.2(i) provides that the Commission shall resolve the issues raised in the scoping memo of an adjudicatory proceeding, within 12 months of the date the proceeding is initiated, unless the Commission makes a written determination that the deadline cannot be met and issues an order extending the deadline. In this proceeding, that statutory deadline was extended to September 30, 2024 by Decision (D.) 23-11-101; D.24-09-042 extended the statutory deadline for this

proceeding until June 30, 2025 and D.25-06-022 extended the statutory deadline for this proceeding until October 31, 2025, which is the current statutory deadline.

On February 10, 2023, Complainant Jim Irizarry (Complainant) filed Complaint, Case (C.) 23-02-003, against Defendant Pacific Gas and Electric Company (Defendant) (collectively, the Parties). Complainant sought relocation of Defendant's power lines from current tree connections to one or more power poles located on Defendant's public utility easement. Complainant also sought removal of one or more power poles located on or adjacent to Complainant's property with Defendant bearing all costs.

The assigned Administrative Law Judge (ALJ) issued a ruling setting a June 23, 2023 prehearing conference (PHC) to address the issues of law and fact, determine the need for hearing, set the schedule for resolving the matter, and address other matters as necessary. That ALJ ruling also required the parties to file a Joint PHC Statement, including the parties requested proceeding schedule.

At the June 23, 2023 PHC, Complainant was self-represented while Defendant appeared through counsel. After considering the Complaint, Answer, Joint PHC Statement, and discussion at the PHC, Commissioner John Reynolds determined the issues and initial schedule of the proceeding as set forth in an August 17, 2023 Scoping Memo and Ruling (Scoping Memo).

Throughout this proceeding, the parties have engaged in settlement discussions to resolve the issues identified in the August 17, 2023 Scoping Memo and Ruling. The proceeding schedule was extended multiple times to enable the

parties to continue their ongoing settlement talks. They have filed monthly joint status reports regarding their progress toward a complete settlement.

On March 14, 2025, Defendant filed a motion to dismiss pursuant to an ALJ ruling establishing a briefing schedule. Complainant opposed the motion to dismiss and Defendant filed a reply on April 11, 2025.

On August 1, 2025, the parties reported they have reached an impasse on the sole remaining issue to be resolved. The parties requested that the assigned ALJ decide defendant's motion to dismiss and, if denied, set a new proceeding schedule to adjudicate the remaining disputed issue in this proceeding. The Commission and ALJ require until April 3, 2026 to decide defendant's motion to dismiss and, if denied, to adjudicate the unresolved issue, and complete this proceeding.

2. Waiver of Comment Period

Under Rule 14.6(c)(4) of the Commission's Rules of Practice and Procedure, the Commission may waive the otherwise applicable 30-day period for public review and comment on a decision that extends the deadline for resolving adjudicatory proceedings set forth in Pub. Util. Code § 1701.2(i). Under the circumstances of this proceeding, it is appropriate to waive the 30-day period for public review and comment.

3. Assignment of Proceeding

John Reynolds is the assigned Commissioner and Jeffrey Lee is the assigned Administrative Law Judge and the presiding officer in this proceeding.

Findings of Fact

1. C.23-02-003 was filed on February 10, 2023.

2. D.23-11-101 extended the statutory deadline for C.23-02-003 until September 30, 2024.
3. D.24-09-042 extended the statutory deadline for C.23-02-003 until June 30, 2025.
4. D.25-06-022 extended the statutory deadline for C.23-02-003 until October 31, 2025.
5. C.23-02-003 cannot be completed by October 31, 2025.
6. An extension of the statutory deadline until April 3, 2026, is necessary to allow adequate time to complete this proceeding.

Conclusion of Law

Pursuant to the authority granted to the Commission under Pub. Util. Code § 1701.2(i), the statutory deadline should be extended until April 3, 2026.

IT IS ORDERED that the statutory deadline for completion of this proceeding is extended until April 3, 2026.

This order is effective today.

Dated October 9, 2025, at Bellflower, California.

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