

Decision 26-08-006 August 13, 2026

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Qian Liu,

Complainant,

vs.

Southern California Gas Company
(U904G),

Defendant.

Case 25-02-020

**MODIFIED PRESIDING OFFICER'S DECISION
DISMISSING COMPLAINT AND DENYING RELIEF**

Summary

This decision grants Southern California Gas Company's Motion to Dismiss the complaint filed by Qian Liu. This decision dismisses complaint Case 25-02-020 with prejudice.

This proceeding is closed.

1. Procedural Background

On February 24, 2025, Complainant Qian Liu filed the instant complaint in which she alleges that her residential rental property experienced gas smells which she requested Defendant Southern California Gas Company (SoCalGas) to inspect and correct. SoCalGas then conducted multiple inspections of the property, all of which failed to reveal any gas leaks or issues associated with SoCalGas' pipelines or facilities belonging to SoCalGas. Complainant's tenants complained of gas smells even when SoCalGas shut off the gas system.

On May 9, 2025, SoCalGas filed an answer which states that (1) it is only responsible for the gas from the street to the Complainant/customer's meter, (2) the customer is responsible for the gas from the meter into the customer's home, and (3) damages, if any, alleged in the Complaint were the proximate result of actions and/or omissions on the part of persons or third parties other than SoCalGas and any liability imposed on SoCalGas must be reduced and apportioned against the liability of such other third parties or persons, and SoCalGas is entitled to a right of indemnification and contribution therefrom.

On July 20, 2025, Complainant twice emailed several documents to the assigned Administrative Law Judge (ALJ) without emailing the same to Defendant, constituting unauthorized and prohibited ex parte communications. The assigned ALJ did not respond to the emails nor did he open or view the documents attached to them.

A prehearing conference in the matter was held on July 24, 2025, 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.

On August 5, 2025, Defendant filed a Motion to Dismiss with Prejudice arguing that the complaint should be dismissed because (1) the California Public Utilities Commission (Commission) lacks authority to award damages, (2) the complaint fails to satisfy the requirements of Public Utilities (Pub. Util.) Code § 1702, and (3) Complainant cannot state a cause of action over which the Commission has jurisdiction.

On August 5, 2025, Complainant emailed Defendant and the assigned ALJ a response to Defendant's Motion to Dismiss which included a request for permission to submit an amended complaint, if needed, clarifying legal citations and regulatory violations.

On October 27, 2025, this matter was reassigned from ALJ Paul Hagen to ALJ Gerald F. Kelly. On October 28, 2025, an email ruling was issued setting a status

conference for November 24, 2025. Following the status conference an email ruling was issued granting the Complainant leave to file an amended complaint by December 5, 2025. This email ruling instructed the Complainant to file the exact same complaint that she sent to the service list via email on November 3, 2025. The Complainant failed to follow these instructions and included a new attachment when she filed her amended complaint. On December 23, 2025, an email ruling was issued instructing the Complainant to comply with the November 24, 2025, email ruling. On December 23, 2025, the Complainant filed an amended complaint that complied with the November 24, 2025, email ruling instructions.

The amended complaint alleges that SoCalGas failed to adequately investigate, identify, and resolve the alleged persistent gas leak at the Complainant's property. The amended complaint alleges that SoCalGas' actions created and ongoing public safety risk and violated state and federal safety obligations. The Complainant asserts that gas odors continued even when service was shut off and, in her belief, indicates a likelihood of external or cross-unit leakage. She believes that SoCalGas' investigative efforts, including pressure testing and replacement of the sub-regulator were incomplete and infective, as they did not identify or remediate the root cause of the alleged condition.

In her amended complaint, the Complainant requested that the Commission do the following: Investigate the conduct of SoCalGas; Determine whether SoCalGas violated applicable safety standards and failed to protect public safety; Direct SoCalGas to conduct a comprehensive inspection and provide detailed reporting; and establish remedial measures requiring infrastructure transparency and safety assurances.

SoCalGas filed an amended answer on January 21, 2026. The amended answer asserts among other things that the Complainant fails to allege a cause of action against SoCalGas. They contend that they have complied with all applicable tariffs, rules, regulations, and laws.

On January 22, 2026, the Scoping Ruling was issued in this proceeding. On February 10, 2026, SoCalGas filed a subsequent Motion to Dismiss based on the Complainant's Amended Complaint. On February 26, 2026, the Complainant filed her Response to the Motion to Dismiss. On February 27, 2026, SoCalGas requested permission to file a Reply to the Complainant's Response. This request was granted and SoCalGas filed its Reply on March 17, 2026.

On March 13, 2026, the assigned ALJ issued a ruling requesting additional information from SoCalGas concerning procedures it follows when there is a reported gas leak and what specific actions SoCalGas took in this matter when the Complainant made her various reports of a suspected gas leak. SoCalGas filed its response to the assigned ALJ's questions on April 17, 2026.

On March 21, 2026, the Complainant engaged in another ex parte communication when she sent an email to the assigned ALJ discussing the merits of her case. The assigned ALJ was on leave and did not read her email. On April 8, 2026, the assigned ALJ submitted a notice of ex parte communication.

On April 8, 2026, the assigned ALJ issued a ruling requesting that the Complainant file all evidence in her possession that establishes there was a gas leak at the property subject to this complaint. The Complainant complied with this ruling on April 27, 2026. The same ruling required SoCalGas to file a brief in response to the Complainant's submission and include the photograph it had initially emailed to the service list in this proceeding. SoCalGas complied with this ruling on May 5, 2026.

2. Issues Set Forth in the Scoping Memo

The scoping memo set forth the following issues:

1. Should SoCalGas' Motion to Dismiss be granted?
2. Has SoCalGas violated Pub. Util. Code §§ 451, 961 and 963?
3. Has SoCalGas violated General Order (GO) 112-F pertaining to gas safety and inspection standards?

4. Has SoCalGas violated 49 Code of Federal Regulations (CFR) § 192.703?
5. Did SoCalGas violate any other applicable Commission rule, tariff or order, or violate any regulation or laws?
6. Has the Complainant failed to meet her burden of proof?
7. Whether the Complainant is entitled to relief and if so, what is that relief?

**3. Summary of Parties' Positions
on Motion to Dismiss**

SoCalGas asserts that the matter should be dismissed because there is no actionable harm to the Complainant, her allegations are moot, and any investigation into SoCalGas would be a duplication of an existing proceeding.

SoCalGas believes that there has been no actionable harm against the Complainant. They believe that the Complainant lacks standing because she did not suffer any personal harm. They note that the alleged gas leaks were experienced by tenants at her property and note that the Complainant did not live on the property. They believe that because the Complainant relies on secondhand reports and not direct injury, she fails to establish a legally actionable claim.

SoCalGas contends that the case is moot because the alleged gas leak issues occurred between October 2024 and January 2025 and have since been resolved. They note that there have been no ongoing problems for over a year. SoCalGas states that because there is no current harm, the Commission cannot provide effective relief.

Finally, SoCalGas argues that the Complainant's amended complaint shifts the focus from damages to seeking a review of SoCalGas' safety practices. SoCalGas states that this is already being addressed in an ongoing Commission investigation (I.19-06-0140).

The Complainant disputes SoCalGas' contentions in her response to the motion to dismiss. She makes various arguments in her response and asserts that

because she alleges regulatory and potential safety issues, her complaint must proceed. She argues that the Commission should reject SoCalGas' argument that there is no actionable harm and she states that the Commission has an obligation to act before any harm happens.

She goes on to argue that she does have standing to bring a complaint because of regulatory, ownership, and safety concerns. She believes that exposure to risk, especially involving utilities, is enough to justify bringing the complaint. She also states that the matter is not moot even if circumstances have changed. She argues that regulatory violations do not just disappear because conditions improve and that the Commission can still provide meaningful remedies.

She states that the request in her complaint for the Commission to investigate SoCalGas is not duplicative efforts. She believes that her complaint is different than I.19-06-014 because she is addressing different issues. The Complainant states that there are unresolved factual issues, which means the case cannot be dismissed early and should proceed to further examination. She is also of the opinion that safety considerations strongly support continuing the case, especially given the risks associated with gas infrastructure. Based on her arguments, she states that the Motion to Dismiss must be denied.

SoCalGas was granted an opportunity to reply to the Complainant's response. On March 17, 2026, SoCalGas filed its reply. In the reply, SoCalGas notes that the Complainant's opposition to the motion to dismiss did not set forth any allegations in her amended complaint that supports surviving the motion to dismiss. Additionally, SoCalGas notes that there is no ongoing harm and as such the Complainant's allegations are moot.

SoCalGas also notes that her request in her amended complaint to seek a review of SoCalGas' safety practices is already being addressed in a Commission

proceeding.¹ Furthermore, they note that Rulemaking (R.) 21-10-001 similarly encompasses these safety concerns.

4. Discussion

The Commission has broad authority to regulate public utilities and to ensure that utility practices are reasonable and consistent with the public interest.

SoCalGas is an investor-owned utility (IOU) providing gas service in California and subject to the Commission's jurisdiction, control and regulation.² The Complainant requests via her amended complaint that the Commission investigate SoCalGas' conduct and determine whether SoCalGas violated applicable safety standards. The Complainant asserts that SoCalGas failed to protect public safety and requests that the Commission direct SoCalGas to conduct a comprehensive inspection into her alleged gas leak. She also requests that there be detailed reporting from SoCalGas and that the Commission establish remedial measures and require infrastructure transparency and safety assurances from SoCalGas.

Specifically, the Complainant asserts that SoCalGas has violated the following: Pub. Util. Code §§: 451, 961, and 963. She also asserts that SoCalGas is in violation of 49 CFR § 192.703 and GO 112-F.

The evidence establishes that SoCalGas diligently investigated every alleged gas leak at the Complainant's property. SoCalGas' policy for responding to potential gas leaks is addressed via SoCalGas' Gas Standard (GS) 140.02, Leak Investigation – Customer Service.³ Notably, the issues at the service address were found to be the step-down regulator and houseline pipes, which are the customer's property (and incumbent on the customer to remediate and

¹ See, Investigation (I.) 19-06-014.

² D.24-05-008, referring to Pub. Util. Code § 216(b).

³ A copy of GS 142.02 was included with SoCalGas' April 17, 2026, Brief.

maintain) as they are "behind the meter." Per Rule 26 of SoCalGas' tariffs they are after the service point of delivery and are the Complainant's responsibility.⁴ SoCalGas nonetheless responded to each service inquiry from those at the property in question and conducted numerous investigations.

On March 13, 2026, the assigned ALJ issued an email ruling requiring SoCalGas to respond to the following questions:

What is SoCalGas' policy when a customer reports a potential gas leak at their service address? Elaborate in detail what SoCalGas did when it received a report of a potential gas leak at the address in question, including testing and repairs.

Have there been other reports of gas leaks at other units in the same complex as the property in question from the date the original complaint was filed up to the date of this ruling? If yes, please indicate what unit number, the date and what SoCalGas did to investigate the potential gas leak and the outcome of any investigations.

Elaborate in detail how the investigation of the alleged gas leak at the service address subject to this complaint complies with internal guidelines, rules and regulations, California Public Utilities Commission decisions and rules, the relevant Public Utilities Codes cited as the basis for the amended complaint, and the cited Code of Federal Regulations listed in the amended complaint.

Below is a detailed summary of SoCalGas' response to the questions presented by the assigned ALJ.

September 17, 2024, 3:46 p.m. A field technician responded to the location at 3981 S. Emory Ln., Unit 7, Ontario, California, for a reported inside leak. The technician performed a leak investigation per GS 142.02. This investigation consisted of standard protocols such as taking underground samples with leak

⁴ Tariff Rule 26; *see also*, Tariff Rule 1; *see also*, *Trammell v. Western Union Tel. Co.*, 57 Cal. App. 3d 538 (1976) ("As the tariff and the limitation of liability provisions have the force and effect of law, they are binding on the public generally."); *Pink Dot Inc. v. Teleport Communications Group*, 89 Cal. App. 4th 407 (2001) ("Certainly a state-filed tariff when so published and filed, has the force and effect of a statute", quoting *Dyke Water Co. v. Public Utilities Com.*, 56 Cal. 2d 105 (1961).)

detection equipment. The result of the samples was negative for natural gas. The technician proceeded to attempt to perform a registration check, which is a method for measuring gas flow through a meter and customer house piping system, which could indicate leakage in a gas piping system. Due to the non-standard gas delivery system used at the location (2 lbs. system)⁵, the technician could not perform a registration check. The occupant was not home to check for possible leakage inside the home, so the technician closed the gas service. The technician left a Form 30 door tag informing the customer that gas service was left off and a test (Clock Test⁶/Drop Test⁷) would need to be conducted to restore gas service per GS 142.02, section 3.4.5.

September 17, 2024, 5:41 p.m. A technician responded to an occupant being back at the property. On this occasion the technician was able to access the gas service lines as well as gas appliances inside the home. The technician was able to obtain a pass test for 2 lbs. system and a pass test for inches side⁸ (On the 2 lbs system there are two tests that need to be completed – one on the 2 lbs. side and the other on the inches or W.C. side) following guidelines in Gas Standard 142.0119 2-PSI Gas Systems (GS 142.0119).⁹

October 29, 2024, 5:40 p.m. A technician responded to a call at the property for a reported inside leak and performed a leak investigation per GS 142.02, section 7.2. This type of investigation procedure is used when the field employee is unable to definitively identify/locate (visually) the specific source(s) of leakage/odor complaint or is in anyway unsure as to the customer's cause of request. The technician checked inside the premises and conducted tests per GS 142.0119, section 8 (Drop Testing 2-PSI System) and Section 9 (Pressure Testing Inches System (W.C.)). The technician determined that the houseline piping failed and left the service off and secured per GS 142.02 per sections 6.1.11.1 and section 6.1.11.5.

November 1, 2024, 7:05 a.m. A technician was routed to perform a back-on order (*i.e.*, the name of the order whenever gas service was turned off and a request was made to return to the dwelling to perform a back-on service). The

⁵ Non-standard refers to the delivery pressure system. Non-standard is measured in pounds and standard delivery pressure is measured in inches water column (W.C.).

⁶ Clock Test is defined in GS 142.02 Section 4.6.

⁷ Drop Test is another term used for Flow Test, which is defined in GS 142.02 section 4.7.

⁸ Inches Side refers to standard pressure delivery system measured in inches.

⁹ GS 142.0119 was attached to the April 17, 2026 Brief as Attachment B.

technician performed all tests per GS 142.02 and GS 142.0119 - the test passed so the technician was able to leave the gas on at the property.

November 12, 2024, 7:53 a.m. A technician responded to a call at the property for a reported inside leak and performed a leak investigation, specifically, a pressure drop test, per GS142.02 section 5.7. The technician determined that there was leakage on customer houseline piping. The technician conducted and completed a test using a crystal gauge and observed the gauge for movement and noticed reading on the display drop, indicating leakage. (This is part of the testing to check whether the gas service can remain on and is consistent with section 5.7.5 and section 5.7.9 of GS 142.02.) Per GS 142.02 section 6.1.11, because there was leakage with customer-owned houseline pipes, the technician left gas service off and secured the meter and notified the customer.

November 13, 2024, 10:23 p.m. A technician was routed to the property to perform a back-on order. The technician performed all tests per GS 142.0119. The testing passed and the technician was able to leave the gas on.

November 25, 2024, 8:54 p.m. A technician responded to a call at the property and performed a leak investigation, specifically, a pressure drop test, per GS 142.02 section 5.7. The technician noted that leakage on houseline piping was detected during the pressure drop testing. Accordingly, per GS 142.02 section 6.1.11.5, the gas service was left off and secured and the customer was informed.

November 29, 2024, 3:37 p.m. A technician was routed to the property to perform a back-on order. During the order the technician observed that the step-down regulator¹⁰ was out of allowable limit¹¹ (per GS 142.0119) and the order was not completed. The meter was left off and secured.

¹⁰ The step-down regulator is part of the 2 PSI System and is located upstream of the gas appliances and/or equipment, to reduce the line pressure from 2 PSI to an inches water column appropriate for the appliance(s) it serves. An individual step-down regulator may be used in conjunction with an inches manifold located on the customer's houseline or there may be individual step-down regulators installed at each appliance/end-use. The step-down regulators and manifolds are customer owned. Hence, this is the customer's property and responsibility.

¹¹ When the technician was conducting the pressure drop test on inches side (inches water column) the technician identified the pressure reading to be 2.5 inches water column. This was well below the standard measurement of 7-12 inches water column for a step-down regulator to function properly.

November 30, 2024, 9:14 a.m. A technician was routed to the property to perform a back-on order following work apparently done to the customer's property (including the step-down regulator) by a contractor hired by the tenant or the property owner. SoCalGas is not clear on the specifics apparently done at the property as the equipment was customer-owned and the work performed was at the direction of the customer to the contractor. The technician performed a clock test at the location per GS 142.02 and the test passed. The gas service was turned back on.

December 4, 2024, 4:57 p.m. A technician was routed to the property and performed a leak investigation per GS 142.02, section 5.7 (pressure drop test). The technician found leakage due to houseline piping. (The houseline piping is also the property of the homeowner and is incumbent on the homeowner to remediate and/or maintain.) The gas service to the residence was left off per section 6.1.11.3 of GS 142.02 and secured the customer was notified.

December 9, 2024, 4:19 p.m. A technician was routed to the property to perform a back-on order. This request was after a plumber hired by the owner had apparently completed the repair work on the houseline piping as communicated by SoCalGas. However, the houseline piping still showed leakage resulting in the gas service remaining off and secured per GS 142.02, and the customer was notified of the same. The technician stated there was ongoing work being conducted at the location, most likely by the plumber.

December 10, 2024, 11:02 a.m. A technician was dispatched to the property for a reported inside leak. The technician conducted a leak investigation per GS 142.02. The technician checked the meter located and observed that the meter and service valve were secured for the property. The technician took underground samples GS 142.02 and the result was negative for natural gas.

December 17, 2024, 3:40 p.m. A technician was routed to the location to perform a turn-on order. (At this point, Complainant had changed the account to being in her name, so instead of it being called a "back-on" order, it is internally referred to as a "turn-on" order.) Upon entering the premises, the technician observed that the step-down regulator for part of the 2 PSI system was not connected and requested for the onsite plumber to put the sub-regulator back into place to complete testing. During the pressure drop testing per GS 142.02, the technician observed that the pressure (the pressure reading on the

regulator) continued to increase¹², indicating a failed/malfunctioning component. Here, the step-down regulator. Per GS 142.0119 section 10.3, the gas service to the residence was left off and secured.

December 20, 2024, 9:50 a.m. A technician was routed to the property to check on repairs and for a turn-on order. During the visit, the technician observed that the step-down regulator was building pressure and both systems in the 2 PSI System were passing the drop test. Due to the building pressure of the step-down regulator, the gas service remained off and secured per GS 142.02. The owner's representative on-site was informed by the technician to replace the step-down regulator.

January 11, 2025, 1:18 p.m. A technician was routed to the location to perform a turn-on order. The technician checked the service line first by conducting a pressure drop test on the pounds side and inches water column side. Both sides passed; as such, the gas service could be safely turned back on. The technician then performed turn-on service per GS 142.0119 and the service line on 2 PSI system passed. The gas service was left on.

The record also reveals that there was no other gas leaks reported at the complex where the subject property is located from the date of the Complainant's original complaint.¹³ Additionally, the record establishes that the procedures followed by SoCalGas to investigate the alleged leaks comply with their internal guidelines. Nor is there any evidence to establish that SoCalGas failed to comply with Commission rules and relevant authorities cited in the Complainant's amended complaint.

The record clearly establishes that SoCalGas complied with all applicable rules and regulations, which the Commission's Consumer Affairs Branch (CAB) confirmed to the Complainant in its February 4, 2025, response to the Complainant. CAB noted in relevant part that "Based on the review of this

¹² The increase in pressure is indicative of a building pressure condition in the regulator and is cause for SoCalGas to leave the service off regardless of a pass test on the pressure drop test.

¹³ See, SoCalGas' Opening Brief pertaining to *Certain Issues Presented by the Administrative Law Judge*, dated April 17, 2026, at page 7.

information, CAB has determined that Southern California Gas Company is not in violation of the rules or regulations of the CPUC.”¹⁴

SoCalGas also responded to the assigned ALJ’s questions concerning how its investigation and policies complied with relevant Commission provisions and the cited Code of Federal Regulations listed in the Complainant’s amended complaint.

Section 451 of the California Pub. Util. Code mandates that all utility charges be just and reasonable. It requires public utilities to maintain adequate, efficient, and safe facilities and services, and specifies that any unjust or unreasonable charges or utility rules are unlawful.

Section 961 of the California Pub. Util. Code mandates that every gas corporation develop and implement a comprehensive, commission-approved safety plan for the safe and reliable operation of its gas pipeline facilities. Section 963 establishes that the safety of the public and utility employees is the top priority for the Commission and all gas corporations and mandates that the safety plans be implemented to achieve the Commission’s safety goals.

Relative to this point, SoCalGas publishes an overview of its Gas Safety Plan which provides an overview of the systems and efforts that support the Company's safety culture.¹⁵ In providing an overview of the safety culture, the Gas Safety Plan identifies certain gas standards (such as GS 142.02) which address such safety issues. However, while SoCalGas does have a safety plan as required, §§ 961 and 963 do not apply to this case involving work and repairs on homeowner-owned appliances. Even if these sections were determined to

¹⁴ CAB’s correspondence with the Complainant was included as Attachment C of SoCalGas’ Opening Brief Dated April 17, 2026.

¹⁵ The most recent Gas Safety Plan (published on March 15, 2026) can be found at the following website:
[https://www.socalgas.com/sites/default/files/202603/2026 SoCalGas Gas Safety Plan.pdf](https://www.socalgas.com/sites/default/files/202603/2026%20SoCalGas%20Gas%20Safety%20Plan.pdf)

apply in this case, because SoCalGas prepares a safety plan which addresses the requirements of §§ 961 and 963, it has complied with those provisions.¹⁶

49 CFR § 192.703 outlines the general maintenance requirements for natural gas pipelines. With respect to this regulation, there is no allegation about SoCalGas pipelines needing to be removed from service. Moreover, the houseline pipes and step-down regulator that were issues for the Complainant are customer-owned and 49 CFR § 192.703 is inapplicable to this proceeding as the issues SoCalGas was called to review/inspect are customer-owned; not utility-owned. Accordingly, the Complainant cannot rely on 49 CFR § 192.703 in this proceeding because the issues and work done at the property involved customer-owned equipment and not utility pipelines.

Finally, the Complainant believes that SoCalGas has violated GO 112-F. GO 112-F provides various rules that must be followed in relation to the design, construction, testing, operation and maintenance of gas gatherings, transmission and distribution piping systems. The evidence fails to establish that there is any issue with SoCalGas' gas gatherings, transmission and distribution piping systems. As demonstrated by SoCalGas on numerous occasions, any issues associated with the Complainant's gas service occurred after the meter and are the responsibility of the Complainant and not SoCalGas.

The assigned ALJ requested on April 8, 2026, via an email ruling for the Complainant to provide all evidence that established a gas leak and hazardous condition created by SoCalGas; all reports and inspections from any entity that established a gas leak; and any information from any involvement of any governmental entity that would establish a gas leak that was caused by

¹⁶ To the extent that the Complainant wishes to address industry wide issues, she can attempt to do so in I.19-06-014.

SoCalGas infrastructure. The Complainant filed this information on April 27, 2026.

The evidence submitted by the Complainant consists of the following:

- A. Red Tag – Hazardous Condition On November 25, 2024, SoCalGas issued a Red Tag stating: “DANGER / HAZARDOUS CONDITION / DO NOT USE UNTIL CONDITION IS CORRECTED.” This document reflects SoCalGas’s determination that a hazardous gas-related condition existed at the property.
- B. Gas Shut-Off Notices – Leak Detection SoCalGas service records further document repeated leak detections and reflect system irregularities. The field notices to my unit include the following:
 - October 29, 2024 – Gas shut-off notice: box 7 checked, “A gas leak in your houseline piping was detected during inspection.”
 - November 12, 2024 – Gas shut-off notice: box 7 checked, “A gas leak in your houseline piping was detected during inspection.”
 - November 25, 2024 – Gas shut-off notice: box 7 checked, “A gas leak in your houseline piping was detected during inspection.”
 - November 29, 2024 – Gas shut-off notice: box 12 checked, “Other: Step down regulator not at allowable limits.”
 - December 4, 2024 – Gas shut-off notice: box 7 checked, “A gas leak in your houseline piping was detected during inspection.”
 - December 9, 2024 – Gas shut-off notice: box 7 checked, “A gas leak in your houseline piping was detected during inspection.”
 - December 17, 2024 – Gas shut-off notice: box 12 checked, “Other: Step regulator building pressure.”
 - December 20, 2024 – Gas shut-off notice: box 12 checked, “Other: Step down regulator is building pressure.”

Complainant believes that these documents constitute direct evidence from SoCalGas confirming that a gas leak or gas related hazardous condition was identified at the property during the relevant period and that said gas leak was caused by SoCalGas. The Complainant's interpretation of these notices is flawed in many aspects.

The entirety of the evidence submitted by the Complainant was notifications from SoCalGas regarding either her houseline piping and/or step-down regulator. As noted, several times in this decision, the houseline piping and step-down regulator are all infrastructure that is considered behind the meter and fall within the responsibility of the homeowner for maintenance and repair. None of the evidence submitted by the Complainant establishes that there was an issue with infrastructure that falls within the responsibility of SoCalGas.

The Red Tag Notice (Form 1813) submitted by the Complainant is a SoCalGas generate document that SoCalGas technicians generate when identifying a hazardous or unsatisfactory condition. Every Red Tag Notice states that there is a hazardous condition or unsatisfactory condition. Form 1813 on its face fails to establish a gas leak associated with SoCalGas' infrastructure and as stated repeatedly, the issues with the Complainant's property were behind the meter and the responsibility of the Complainant.

The Complainant also stated that she hired plumbers to inspect the interior piping, but no reports were generated. Again, interior piping are behind the meter and this falls completely within the Complainant's responsibility for maintaining and repairing. She goes on to state that the Homeowners Association (HOA) retained plumbers to inspect shared gas lines that service multiple units and based on verbal communications from the HOA, she believes there were issues with the shared system.

Shared service lines within the HOA building are also behind the meter and fall within the responsibility of the HOA or individual property units. This statement provides zero evidence that there was a gas leak or hazardous condition associated with any infrastructure before the meter.

The Complainant also alleges that per the City of Ontario, the gas shutoffs resulted in the loss of hot water for the tenants and that this could result in the subject property being considered uninhabitable under Health and Safety Code § 17920.3 if gas service could not be resorted within a reasonable time. Again, this does nothing to support the Complainant's allegations. This does not establish that there was a hazardous condition with SoCalGas' infrastructure before the gas meter. Nor does it establish that there was an issue with SoCalGas' transmission pipelines.

The gas service was turned off due to problems with infrastructure after the gas meter. SoCalGas informed the Complainant numerous times that the issues presented at her property were associated with infrastructure after the meter and as such was her responsibility to inspect and repair. Any determination of a Health and Safety Code § 17920.3 violation is beyond the jurisdiction of the Commission and is something the Complainant would need to address with the City of Ontario.

The Complainant also stated in her filing that she reserved the right to introduce additional evidence that may be discovered later. This request is denied. To date the Complainant has submitted zero evidence that would establish a gas leak caused by equipment or transmission pipelines under the control of SoCalGas before the meter. The evidence in this proceeding shows that any leak or issue with the Complainant's gas service occurred after the meter. There was no evidence submitted showing a gas leak or issue with SoCalGas' infrastructure before the meter, because none exists.

The evidence in this proceeding shows that SoCalGas followed all standard protocols including numerous leak investigations per GS 142.02 sections 5.7 and 7.2 and GS 142.0119, including the taking of underground samples with leak detection equipment, all of which were negative and showed no issue with infrastructure and transmission and distribution pipelines before the meter.¹⁷ Additional investigations conducted by SoCalGas revealed that any issue present at the Complainant's property were a result of malfunctions with equipment after the gas meter.¹⁸

It is noted that after the Complainant completed the necessary repairs on the infrastructure after the meter and service was reconnected on January 11, 2025, there have been no reported issues with gas leaks at the subject property. This is well over a year and is indicative of the reported gas smells being a result of the faulty houseline piping and step-down regulator rather than any issue with SoCalGas' regulated infrastructure.

The Complainant attempts to circumvent this statement by claiming that there have not been any additional reports of a potential gas leak in the property because she made the decision not to rent the property out on a long-term basis. This is not credible. We find it more likely that there have not been any reported gas leaks at the subject property because the repairs on the infrastructure after the meter resolved the issues presented.

Accordingly, the amended complaint is moot. The Complainant submitted zero evidence to establish a valid cause of action against SoCalGas. The evidence is clear in this proceeding that the only leaks or issues associated with the

¹⁷ See, SoCalGas' summary above dated September 17, 2024, October 29, 2024, November 12, 2024, November 13, 2024, November 25, 2024, December 4, 2024, and December 10, 2024.

¹⁸ Investigations conducted on October 29, 2024, November 12, 2024, November 25, 2024, November 29, 2024, December 4, 2024, December 9, 2024, December 17, 2024, and December 20, 2024, all revealed leakage either in the houseline piping or step-down regulator. Again, these are all after the meter and fall with the responsibility of the Complainant to inspect and maintain.

Complainant's property were caused by infrastructure after the meter. SoCalGas conducted numerous investigations and each time there was no evidence of any gas leak or issue with SoCalGas' infrastructure before the gas meter.

Since all the evidence fails to establish any violation of Pub. Util. Code §§ 451, 961, and 963, 49 CFR § 192.703 and GO 112-F, there are no remedies that the Commission can provide the Complaint in this matter. As noted, many times by SoCalGas, the issues at the property were related to the Complainant's houseline piping or the step-down regulator, which falls within the responsibility of the Complainant. Once the repairs were made to the infrastructure after the meter, there were no longer any reported gas leaks. Accordingly, the requested relief in the amended complaint is denied.

4.1. Appropriateness of Dismissal at the Pleading Stage

4.1.1. Motion to Dismiss Standard

Rule 11.2 permits a motion to dismiss based on the pleadings. The Commission treats a motion to dismiss as a civil court would treat motions for summary judgment.¹⁹ A motion for summary judgment is appropriate where the evidence presented indicates there are no triable issues as to any material fact, and that based on the undisputed facts, the moving party is entitled to judgment as a matter of law.²⁰ Thus, in reviewing summary judgment motions, the Commission is guided by § 437(c) of the California Code of Civil Procedure for the standards on which to decide a motion for summary judgment.

Under § 437(c), a motion for summary judgment shall be granted only where the pleadings and materials before the court show that no triable issue of material fact exists and that the moving party is entitled to judgment as a matter of law.²¹ In

¹⁹ D.94-04-082, referring to Rule 56, the predecessor to Rule 11.2; *see also* D.03-05-023.

²⁰ California Code of Civil Procedure, § 437(c).

²¹ *Id.*

making this determination, the court must consider all evidence presented to draw reasonable inferences from that evidence.²² However, summary judgment may not be granted where competing inferences or evidence create a triable issue as to a material fact.²³ Moreover, such motions are generally favored by the courts and this Commission because it “promotes and protects the administration of justice and expedites litigation by the elimination of needless trials.”²⁴ As such, where appropriate, the Commission regularly grants motions for summary judgment or summary adjudication.²⁵

Further, a motion to dismiss is properly granted where the complaint fails to state a claim upon which relief can be granted or where the Commission lacks a sufficient basis to adjudicate the dispute. Even accepting the factual allegations in the complaint as true, the complaint does not identify any SoCalGas infrastructure that caused the alleged gas leaks. On the contrary, based on numerous investigations by SoCalGas, the gas leaks were determined to be a result of faulty houseline piping or the step-down regulator.

Given that SoCalGas has acted in compliance with all applicable statutes and Commission rules, and the complaint alleges no cognizable statutory or regulatory violation, it fails to state a claim under Pub. Util. Code § 1702 as a matter of law. As noted above, once the Complainant addressed the faulty equipment after the meter, there have been no additional reports of a gas leak in over a year. Accordingly, it is determined that the amended complaint is moot as the evidence fails to establish

²² *Id.*

²³ *Id.*

²⁴ See D.24-05-008 [granting SDG&E judgment against Electrify America, LLC, for failing to state a cause of action, citing *Westcom Long Distance Inc. v. Pacific Bell et al.*, D.94-04-082, (1994) 54 CPUC 2d 249].

²⁵ See D.12-03-037 [granting SDG&E judgment against Everyday Energy as a matter of law]; D.07-07-040 [granting Chevron judgment against Equilon as a matter of law]; D.07-01-004 [granting Cox Telecom judgment against Global NAPs of California].

any violation on the part of SoCalGas and there are no remedies that the Commission can provide for the Complainant.

The Complainant bears the burden of proof to establish that her allegations are true. She has failed to do this. Granting the Motion to Dismiss is appropriate. Accordingly, the Complaint must be dismissed for failing to present a preponderance of the evidence that SoCalGas has violated any rule, requirement, Commission decision, law, or applicable tariff.

Even if the Motion to Dismiss was not granted, SoCalGas would prevail on the merits of this case. The assigned ALJ further developed the record and required various actions of SoCalGas to evaluate all steps and investigations that were undertaken by SoCalGas pertaining to the alleged gas leaks. The additional evidence submitted by SoCalGas clearly establishes that they diligently investigated every alleged gas leak and one thing is clear, there is no evidence of any leaks on any SoCalGas infrastructure subject to regulation by the Commission.

The assigned ALJ also provided the Complainant with the opportunity to present all evidence in her possession that would establish a gas leak or any violations on behalf of SoCalGas. The Complainant submitted no evidence that supports a finding that SoCalGas has violated any Commission rule, regulation or decision.

5. Category of Proceeding

This matter has been categorized as adjudicatory.

6. Appeal of Review of Presiding Officer's Decision

The presiding officer's decision in this matter was mailed to the parties in accordance with Section 311 of the Public Utilities Code. Pursuant to Rule 14.4 of the Commission's Rules of Practice and Procedure, any party may file an appeal of the presiding officer's decision within 30 days of the date the decision is served. In addition, any Commissioner may request review of the presiding officer's decision by filing a request for review within 30 days of the date the decision is served.

The Complainant filed an appeal of the presiding officer's decision on July 7, 2026. The Complainant argues, without evidence, that the presiding officer's decision should be reversed or modified because it commits legal, procedural, and factual errors by treating this proceeding as a simple behind-the-meter ownership dispute. Specifically, her appeal can be broken down into the following six allegations: 1.) The presiding officer's decision erroneously narrows the legal issues in her Complaint by only addressing tariff-based ownership and repairs after the meter and does not address her challenges to SoCalGas' leak response practices, shutoff and restoration decisions, hazardous determinations, and after-meter investigative services. 2.) Alleges there are disputed factual issues that prevent the Complaint from being dismissed via a motion to dismiss. 3.) Asserts that there are material factual disputes that preclude dismissal with prejudice without further factual development. 4.) The presiding officer's decision fails to establish as a matter of law that SoCalGas' leak investigation was reasonable. 5.) The mootness argument is factually and legally unsound because it treats the absence of post-January 2025 gas leak reports as conclusive evidence that there were no leaks or that the leaks were resolved. 6.) Dismissal with prejudice is too severe and the matter should be remanded for limited factual development or the dismissal should be without prejudice.

The presiding officer's decision did not erroneously narrow the issues presented in the Complaint. The evidence clearly establishes that SoCalGas diligently investigated every alleged gas leak at the Complainant's property. As noted in the presiding officer's decision, the evidence establishes that SoCalGas complied with *GS 140.02, Leak Investigations*. As stated numerous times above, the issues at the property were found to be with the step-down regulator and houseline pipes, which are incumbent on the Complainant to maintain and remediate because they are behind the meter and per SoCalGas' Tariff Rule 26, they are after the point of service and are the Complainant's responsibility.

SoCalGas' response to the assigned ALJ's March 13, 2026, ruling set forth in extensive detail everything that SoCalGas did every time the Complainant reported an alleged gas leak. The Complainant was provided with the opportunity to present evidence that there was a gas leak coming from SoCalGas' infrastructure, but she failed to do so. As noted above, she did not produce any inspection reports from plumbers or other qualified inspectors that would establish a problem with SoCalGas' infrastructure. Additionally, there were no other reported gas leaks at the condominium building where the Complainant's residence is located. The bottom line is that the Complainant is unhappy with the outcome in this proceeding and simply makes the same arguments that she made during the development of the record in this matter.

The Complainant's argument that there are factual disputes that prevent this matter from being dismissed via a motion to dismiss is also rejected. The Complainant failed to identify any SoCalGas infrastructure that caused the alleged gas leaks. She bears the burden to establish that her allegations are true and she failed to do so here. As noted above in the presiding officer's decision:

Even if the Motion to Dismiss was not granted, SoCalGas would prevail on the merits of this case. The assigned ALJ further developed the record and required various actions of SoCalGas to evaluate all steps and investigations that were undertaken by SoCalGas pertaining to the alleged gas leaks. The additional evidence submitted by SoCalGas clearly establishes that they diligently investigated every alleged gas leak and one thing is clear, there is no evidence of any leaks on any SoCalGas infrastructure subject to regulation by the Commission.

The Complainant's argument that further factual development is required to resolve the remaining factual disputes is also rejected. The Complainant was given ample opportunities to prove her allegations and she failed to do so. In addition to allowing the Complainant to amend her Complaint, the assigned ALJ issued an email ruling on March 13, 2026, requiring SoCalGas to address various questions

presented by the assigned ALJ. As noted above, SoCalGas responded to the assigned ALJ's questions in detail. Additionally, the Complainant was given ample opportunity to respond and to submit any evidence in her possession. The Complainant's evidence consists of her repeated arguments that there was a gas leak and because tenants reported the smell of gas that this means SoCalGas is somehow responsible for it. To support her allegations, the Complainant needed to submit evidence, and she failed to do so.

The Complainant's argument that the presiding officer's decision failed to prove as a matter of law that SoCalGas' actions in investigating the alleged gas leaks was reasonable is also rejected. The burden is on the Complainant to prove the allegations in her Complaint. The presiding officer's decision established that SoCalGas was following their internal Gas Standards and their tariffs. The presiding officer's decision also established that based on the evidence presented, SoCalGas complied with Commission rules, regulations, and laws in this case.

We also reject the Complainant's allegations concerning the mootness argument. The Complainant has failed to prove the allegations in her Complaint. All the evidence presented in this matter establishes that the alleged gas leaks were behind the meter and thus the responsibility of the complainant. The evidence is clear, that once there were repairs to hardware after the meter, there were no longer any reported gas leaks at the subject property. Whether or not the unit has remained empty is immaterial. The bottom line is that after the Complainant made the repairs, there were no additional reported gas leaks. Whether or not the Complainant chooses not to rent out the subject property is immaterial to the resolution of this Complaint.

The Complainant's argument that the matter should be remanded for additional factual development or the Complainant should be dismissed without prejudice is also rejected. The evidence in this matter establishes that the assigned ALJ adequately developed the record. If the Complainant had additional evidence

she wished to submit in this matter, she could have submitted it on multiple different occasions. Further factual development will not create evidence that has not already been submitted.

Finally, dismissing the Complaint without prejudice would not change the ultimate outcome of this proceeding. There is no evidence that establishes any wrongdoing on behalf of SoCalGas in this proceeding. If the matter was dismissed without prejudice, it is assumed that the Complainant would subsequently refile another complaint alleging the same allegations and using the same arguments and evidence that were adjudicated in this proceeding. Relitigating the same allegations with the same facts and evidence would not be an efficient use of resources for anyone involved in this proceeding.

The Complainant failed to set forth any evidence that the presiding officer's decision contains factual or legal errors and therefore, we make no modifications to the presiding officer's decision.

7. Assignment of Proceeding

Commissioner Matthew Baker is the assigned Commissioner and Gerald F. Kelly is the assigned Administrative Law Judge and presiding officer for the proceeding.

Findings of Fact

1. The complaint challenges SoCalGas' investigation and findings concerning the reported gas leaks at the rental property.

2. SoCalGas diligently investigated every reported incident.

SoCalGas' investigation revealed that the issues presented at the property were with the houseline piping and step-down regulator.

3. The issues with the houseline piping and step-down regulator are considered after the meter and fall within the responsibility of the property owner for inspection and repair.

4. After the Complainant addressed the issues with the houseline piping and step-down regulator in January 2025, there have been no further reported issues at the property.

5. The Complainant bears the burden of proof in this matter.

6. The Complainant was provided with ample opportunity to prove the allegations in her amended complaint and she failed to do so.

Conclusions of Law

1. The issues alleged in the Complainant's amended complaint are moot.

2. The Complainant has failed to establish that SoCalGas has violated any Commission law, rule or decision.

3. Commission has discretion to dismiss a complaint that fails to state a claim warranting adjudication.

4. Pursuant to SoCalGas' approved tariffs, any inspection or repairs to infrastructure after the meter are the responsibility of the property owner and not SoCalGas.

5. Even if SoCalGas' Motion to Dismiss was denied, SoCalGas would still prevail on the merits of this proceeding.

6. SoCalGas' Motion to Dismiss should be granted.

7. Case 25-02-020 should be dismissed with prejudice.

8. Case 25-02-020 should be closed.

O R D E R

IT IS ORDERED that:

1. Southern California Gas Company's Motion to Dismiss is granted.

2. Complaint Case No. C.25-02-020 is dismissed with prejudice.

3. This proceeding is closed.

This order is effective today.

Dated August 13, 2026, at San Francisco, California.

JOHN REYNOLDS

President

DARCIE L. HOUCK

KAREN DOUGLAS

MATTHEW BAKER

CHRISTINE HARADA

Commissioners