

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

Order Instituting Rulemaking to Establish
Energization Timelines

Rulemaking 24-01-018

CTIA RESPONSE TO APPLICATION FOR REHEARING

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In accordance with Public Utilities Code § 1731(b)(1) and Rule 16.1(d) of the California Public Utilities Commission’s (“Commission’s”) Rules of Practice and Procedure, CTIA respectfully submits this response opposing Powering America’s Commercial Transportation’s (“PACT’s”) Application for Rehearing (“Application”) of Decision 24-09-020, *Decision Establishing Target Energization Time Periods and Procedure for Customers to Report Energization Delays* (“Decision”). An application for rehearing must specifically set forth the grounds on which the applicant considers the Commission’s decision to be “unlawful or erroneous” and must make specific references to the record or law to support its assertions.¹ PACT’s Application misinterprets the statutes underlying its assertions, does not demonstrate an “unlawful or erroneous” decision by the Commission, and should be dismissed.

I. OPPOSITION TO APPLICATION FOR REHEARING

PACT asserts that the Decision disregards state law *requiring* prioritization of certain types of energization projects.² Contrary to PACT’s assertion, Cal. Pub. Util. Code § 933.5 does not require the Commission to prioritize energization projects based on their underlying energy use, but instead requires the Commission to determine the “criteria for timely service.” The statute further specifies that the criteria must include review of “project types that justify unique or extended timelines,” which may include “projects requiring upstream capacity upgrades or substation upgrades, unanticipated engineering or construction, or projects requiring energization of significant, unanticipated new load.”³ These enumerated “project types” are uniformly types of projects that are more complex and/or necessitate longer lead-times, but are neutral regarding

¹ CPUC Rules of Practice and Procedure, Rule 16.1(c).

² See Application at 6-7.

³ Cal. Pub. Util. Code 933.5(a)(1)(b).

their underlying energy end use.⁴ There is nothing in the statute that requires the Commission to associate “project types” with energy end uses.

Furthermore, Cal. Pub. Util. Code § 934—which requires the Commission to establish average and maximum target energization time periods—does not require or even suggest any prioritization based on energy end use. Instead, that section acknowledges that “[t]he targets may vary depending on the complexity and magnitude of the work.” And while PACT seeks to rely on Cal. Pub. Util. Code § 932(d) to support its position,⁵ that section is merely a legislative finding that neither directs nor authorizes any action by the Commission.⁶

Ultimately, the Decision establishes energization timelines by project type as defined by utilities’ existing tariff sections (*i.e.*, Rule 15 projects versus Rule 16 projects). Establishing timelines in this manner is not contrary to the statute, and PACT has not demonstrated that the Commission has not proceeded in a manner required by the law.

II. CONCLUSION

CTIA recommends the Commission dismiss the Application and affirm the Decision.

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⁴ As CTIA has noted previously, the statute offers the Commission latitude to establish energization timelines for complex new service requests and different, shorter timelines for simple new service requests. *See* CTIA Reply Comments on Scoping Memo and Ruling at 1-3 (May 17, 2024). Doing so would promote prompt fulfilment of simple projects, such as wireless and broadband deployments. *Id.* CTIA continues to urge the Commission to adopt such an approach.

⁵ *See* Application at 6.

⁶ *See* Cal. Pub. Util. Code § 932(d).

