

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

(A)

California Solar & Storage Association
(CALSSA)

COMPLAINANT(S)

vs.

(B)

Pacific Gas & Electric (U 39-E)
Southern California Edison (U 338-E)

DEFENDANT(S)

(Include Utility "U-Number", if known)

(for Commission use only)

(C)

Have you tried to resolve this matter informally with the Commission's Consumer Affairs staff?

☐ YES ☒ NO

Has staff responded to your complaint?

☒ YES ☐ NO

Did you appeal to the Consumer Affairs Manager?

☐ YES ☒ NO

Do you have money on deposit with the Commission?

☐ YES ☒ NO

Amount \$ _____

CALSSA attempted to resolve this with the Commission's Energy Division staff in the Interconnection & Distribution Engineering Section. See Appendix Section I.4 for more detail.

Is your service now disconnected?

☐ YES ☒ NO

COMPLAINT

(D)

The complaint of (Provide name, address and phone number for each complainant)

Name of Complainant(s)	Address	Daytime Phone Number
California Solar & Storage Association	1107 9th St. Suite #820, Sacramento, CA, 95814	415-500-1066

respectfully shows that:

(E)

Defendant(s) (Provide name, address and phone number for each defendant)

Name of Defendant(s)	Address	Daytime Phone Number
Pacific Gas & Electric	300 Lakeside Drive, Oakland, CA, 94612	415-973-1000
Southern California Edison	2244 Walnut Grove, PO Box 800, Rosemead, CA, 91770	800-798-5723

(F)

Explain fully and clearly the details of your complaint. (Attach additional pages if necessary and any supporting documentation)

See Appendix, Section I (titled "Explain fully and clearly the details of your complaint.").

(G) Scoping Memo Information (Rule 4.2(a))

(1) The proposed category for the Complaint is (check one):

☒ adjudicatory (most complaints are adjudicatory unless they challenge the reasonableness of rates)

☐ ratesetting (check this box if your complaint challenges the reasonableness of a rates)

(2) Are hearings needed, (are there facts in dispute)? ☐ YES ☒ NO

(3) ☒ Regular Complaint ☐ Expedited Complaint

(4) The issues to be considered are (Example: The utility should refund the overbilled amount of \$78.00):

See Appendix, Section II (titled "The issues to be considered.").

- (5) The proposed schedule for resolving the complaint within 12 months (if categorized as adjudicatory) or 18 months (if categorized as ratesetting) is as follows:

Prehearing Conference: Approximately 30 to 40 days from the date of filing of the Complaint.

Hearing: Approximately 50 to 70 days from the date of filing of the Complaint.

Prehearing Conference (Example: 6/1/09):	
Hearing (Example: 7/1/09)	

Explain here if you propose a schedule different from the above guidelines.

See Appendix, Section III (titled "Proposed Schedule").

(H)

Wherefore, complainant(s) request(s) an order: State clearly the exact relief desired. (Attach additional pages if necessary)

See Appendix, Section IV (titled "State clearly the exact relief desired.").

(I)

OPTIONAL: I/we would like to receive the answer and other filings of the defendant(s) and information and notices from the Commission by electronic mail (e-mail). My/our e-mail address(es) is/are:

kevin@calssa.org, brad@calssa.org, jon@calssa.org

(J)

Dated San Francisco, California, this 28 day of August, 2025
(City) (date) (month) (year)

Kevin Luo

Signature of each complainant

(MUST ALSO SIGN VERIFICATION AND PRIVACY NOTICE)

(K)**REPRESENTATIVE'S INFORMATION:**

Provide name, address, telephone number, e-mail address (if consents to notifications by e-mail), and signature of representative, if any.

Name of Representative:	Kevin Luo
Address:	1107 9th St. Suite #820, Sacramento, CA, 95814
Telephone Number:	415-500-1066
E-mail:	kevin@calssa.org
Signature	<i>Kevin Luo</i>

VERIFICATION
(For Individual or Partnerships)

I am (one of) the complainant(s) in the above-entitled matter; the statements in the foregoing document are true of my knowledge, except as to matters which are therein stated on information and belief, and as to those matters, I believe them to be true.

I declare under penalty of perjury that the foregoing is true and correct.

(L)

Executed on _____, at _____, California
(date) (City)

(Complainant Signature)

VERIFICATION
(For a Corporation)

I am an officer of the complaining corporation herein, and am authorized to make this verification on its behalf. The statements in the foregoing document are true of my own knowledge, except as to the matters which are therein stated on information and belief, and as to those matters, I believe them to be true.

I declare under penalty of perjury that the foregoing is true and correct.

(M)

Executed on August 28, 2025, at San Francisco, California
(date) (City)

Kevin Luo

Policy & Market Development Manager

Signature of Officer

Title

(N) NUMBER OF COPIES NEEDED FOR FILING:

If you are filing your formal complaint on paper, then submit one (1) original, six (6) copies, plus one (1) copy for each named defendant. For example, if your formal complaint has one defendant, then you must submit a total of eight (8) copies (Rule 4.2(b)).

If you are filing your formal complaint electronically (visit <http://www.cpuc.ca.gov/PUC/efiling> for additional details), then you are not required to mail paper copies.

(O) Mail paper copies to: California Public Utilities Commission
Attn: Docket Office

505 Van Ness Avenue, Room 2001
San Francisco, CA 94102

PRIVACYNOTICE

This message is to inform you that the Docket Office of the California Public Utilities Commission (“CPUC”) intends to file the above-referenced Formal Complaint electronically instead of in paper form as it was submitted.

Please Note: Whether or not your Formal Complaint is filed in paper form or electronically, Formal Complaints filed with the CPUC become a public record and may be posted on the CPUC’s website. Therefore, any information you provide in the Formal Complaint, including, but not limited to, your name, address, city, state, zip code, telephone number, E-mail address and the facts of your case may be available on-line for later public viewing.

Having been so advised, the Undersigned hereby consents to the filing of the referenced complaint.

Kevin Luo

Signature

August 28, 2025

Date

Kevin Luo

Print your name

Appendix

I. Explain fully and clearly the details of your complaint.

Parties

1. The California Solar & Storage Association (CALSSA) is a statewide trade association that represents 647 businesses building behind-the-meter solar and storage in California. Of CALSSA's member companies, 378 are contractors, construction firms, and project developers that routinely submit interconnection applications on behalf of utility customers. In Pacific Gas & Electric and Southern California Edison territory, these companies have suffered damages due to the gross and repeated violation of interconnection timelines in Rule 21. CALSSA is filing this complaint in accordance with Rule 4.1 of the California Public Utilities Commission (Commission) Rules of Practice and Procedure.
2. Pacific Gas & Electric (PG&E) is an Investor-Owned Utility (IOU) that provides electricity and natural gas to the public in much of Northern California. The Commission has the authority to regulate PG&E pursuant to Section 701 of the Public Utilities Code.
3. Southern California Edison (SCE) is an IOU that provides electricity to the public in much of Southern California. The Commission has the authority to regulate SCE pursuant to Section 701 of the Public Utilities Code.

Background

4. CALSSA has repeatedly brought this matter to Commission staff to attempt to resolve the matter informally. CALSSA has been discussing the Defendants' failures to meet Rule 21 timelines with Energy Division staff since 2015.¹ Further, CALSSA has had meetings specifically regarding the Defendants' pattern of violations shown in their self-reported interconnection timeline data with Energy Division staff in the Interconnection & Distribution Engineering Section starting June 12, 2024. However, no concrete action

¹ *Response of the California Solar Energy Industries Association on Outstanding Issues in the Proceeding*, R.11-09-011, p. 2.

has been taken to resolve this pattern of violations. Therefore, although CALSSA marked in question C on the complaint form that it has not contacted the Commission's Consumer Affairs staff, CALSSA has met the condition in Rule 4.2.b of the Commission Rules of Practice and Procedure.

5. Rule 21 defines the interconnection requirements for every solar and/or storage system that connects to PG&E and SCE's distribution system and transmission system.² Rule 21 includes interconnection requirements for both the customers seeking to interconnect solar and/or storage and the utilities that review the customers' systems.
6. Rule 21 sets timeline standards for many stages in the interconnection process. The utility is required by Rule 21 to "use Reasonable Efforts in meeting all the timelines set out in this Rule."³ Rule 21 defines "Reasonable Efforts" as "efforts that are timely and consistent with Good Utility Practice and are otherwise substantially equivalent to those a Party would use to protect its own interests."⁴ Rule 21 further defines "Good Utility Practice" as "any of the practices [...] which, in the exercise of reasonable judgement in light of the facts known at the time the decision was made, could have been expected to accomplish the desired result at a reasonable cost consistent with good business practices, reliability, safety and expedition."⁵
7. In simpler terms, Rule 21 requires the utility to take actions that could have been expected to meet the timeline and further reflect the care that would have been taken if the utility itself had been the customer.
8. There has long been concern that PG&E and SCE have been failing to comply with the timelines provision in Rule 21.
 - a. In 2017, the Commission recognized that the existence of timelines was not enough to force the utilities to provide timely service and that more action was needed. The Scoping Memo for R.17-07-007 posed the following issue on October 2, 2017:

² PG&E Rule 21 B.1. SCE Rule 21 B.1.

³ PG&E Rule 21 F.1.d. SCE Rule 21 D.15.

⁴ PG&E Rule 21 Sheet 31.

⁵ PG&E Rule 21 Sheet 24.

Issue 12. How can the Commission improve certainty around timelines for distribution upgrade planning, cost estimation, and construction? Should the Commission consider adopting enforcement measures with respect to these timelines? If so, what should those measures be?⁶

Issue 12 explicitly highlights that there are specific steps in the interconnection process (e.g. construction) where timeline certainty needed to be improved.

- b. The amended Scoping Memo reaffirmed the high priority of this issue on November 16, 2018, along with a selection of related issues including methods to streamline construction of upgrades, improve transparency into billing for upgrades, streamline the interconnection application portals, and clarify the interconnection requirements for non-export:

Similarly, the Utilities agree with CALSSA that Issues 12, 16, 18, 19, 27 and 28 should have higher priority. As indicated in Table 1, we find that Issues 12, 15, 16, 20, 22, 23, 24, 27, 28, and new Issues A and B have the highest priority and should be resolved in Working Group Three.⁷

- c. Extensive meetings on this subject followed in Rule 21 Working Group Three (WG3). As explained in the Working Group Three Final Report (WG3 Report), published on June 14, 2019, “Issue 12 was discussed over the course of four Working Group meetings and three conference calls.”⁸ During these stakeholder meetings, parties stated that ambiguities and delays in the interconnection process were preventing customers from obtaining an accurate estimate of costs, forcing customers to carry loans for unreasonably or unpredictably long periods and seriously discouraging companies from operating in the distributed energy sector:

⁶ *Scoping Memo of Assigned Commissioner and Administrative Law Judge*, R.17-07-007, p. 4.

⁷ *Assigned Commissioner’s Amended Scoping Memo and Joint Administrative Law Judge Ruling*, R.17-07-007, p. 9.

⁸ WG3 Report, p. 11.

During initial discussions and in proposals, some parties claimed that distribution upgrade design and construction timelines are not being set, communicated, and/or adhered to in a sufficiently predictable and consistent manner. Some possible consequences are that: (a) project developers cannot give reliable estimates to their customers; (b) customers may have to carry their own facilities loan or leasing costs for what could be considered unreasonably or unpredictably long periods, forgoing revenue to cover loan or lease costs until facilities are operational; and (c) utilities are not being held sufficiently accountable for communicating and adhering to timelines. The significance, validity, and seriousness of the above claims varied depending on utility, project type, and project size.

Some parties claimed that delays, uncertainties, and lack of communication are serious issues, affecting the commercial viability of businesses, jobs, and the very willingness of companies to operate in the distributed energy sector.⁹

- d. The lack of comprehensive data on utility timeline performance made it difficult to track and assess interconnection timelines holistically. As the WG3 Report explained, “[t]he Working Group reviewed some data and examples related to timeline issues, but recognized that comprehensive data regarding specific milestones discussed within the Issue 12 proposal does not currently exist.” This led to the consensus proposal 12-a in WG3:

Proposal 12-a. Consensus.

Establish a framework for quarterly tracking and reporting on timelines for the interconnection application review process and for design and

⁹ WG3 report, pp. 11-12.

construction of interconnection-related distribution upgrades. The framework includes twelve specific timelines for tracking and reporting.¹⁰

Ordering Paragraph 22 of D.20-09-035 (Decision) adopted Proposal 12-a.

- e. Many stakeholders (CALSSA, SCE, Clean Coalition, GPI, IREC, JKB Energy, and Tesla) in WG3 expressed support for the utilities to set goals based on the timelines tracked in 12-a:

Proposal 12-f. Non-consensus

Set an overall goal that 95-100% of projects meet all timelines within the framework for tracking and reporting within two years after the start of tracking.¹¹

As SCE explained, a goal helps define what a functioning and effective interconnection process looks like as well as establishing a basis for determining when corrective action is needed:

SCE agreed that goals were useful for process improvements and corrective actions. Goals stem from a benchmark of the mutually accepted effectiveness of a process or function. Once a goal is established, the goal serves to inform process owners as to process efficacy. The data collected for goal tracking is used for first, process or resource improvement, and second, for administration of corrective action or commendation depending on results of process improvement and optimization.¹²

In contrast, SDG&E argued that improving the interconnection process would not be beneficial to ratepayers and thus no goal need be set:

¹⁰ WG3 report, p. 13.

¹¹ WG3 report, p. 18.

¹² WG3 report, pp. 18-19.

SDG&E is not in consensus with setting an overall goal. With SDG&E Rule 21 applications accounting for less than approximately 0.1% of all applicants, setting requirements of establishing a goal or shortening duration of delays to reach compliance thresholds to incrementally improve progress is not beneficial to SDG&E ratepayers.¹³

The Commission rejected this argument, stating, “We are not persuaded by SDG&E’s contention that the timeline goals are not beneficial to its ratepayers based on the volume of applications.”¹⁴ OP 28 in the Decision adopted Proposal 12-f, stating:

Within two years of the commencement of tracking required by Ordering Paragraph 23, no less than 95 percent of non-net energy metering projects and net energy metering projects greater than 30 kilowatts *shall meet* all timelines listed in Ordering Paragraph 23, except (f), (j), (l), and (s), which are not stipulated in Rule 21. [emphasis added]

- f. Parties (CALSSA, Clean Coalition, GPI, IREC, JKB Energy) argued in WG3 that the Commission should consider financial penalties if the IOUs had not achieved the goals in Proposal 12-f within two years of tracking:

Proposal 12-i. Non-consensus

After two years of tracking and reporting have been completed, Energy Division will reconvene the parties for a discussion of whether the goals have been achieved and, if not, what further steps (if any, based on the situation presented), would be appropriate to take. The Commission should clearly indicate that financial penalties will be on the table for discussion if the goals are not met.¹⁵

¹³ WG3 report, p. 19.

¹⁴ Decision, pp. 95-96.

¹⁵ WG3 report, p. 21.

As IREC further explained, “IREC believes the goals set are conservative, reasonable, and achievable. Thus, IREC believes it is reasonable to consider financial penalties if the voluntary goal setting process fails.”¹⁶ In contrast, the IOUs disagreed that a penalty would be necessary, claiming that “[c]onsistent with the regulatory compact and cost of service regulatory ratemaking principals, the IOUs must be permitted to recover prudent, reasonable costs associated with generating facility interconnection.”¹⁷ In the Decision, the Commission adopted a modified version of Proposal 12-i, delaying the consideration of financial penalties until it could determine whether interconnection timelines were improving to a timely level:

Proponents of this proposal also recommend that financial penalties should be discussed by parties. Utilities oppose the inclusion of financial penalties but otherwise support this proposal. We find the issue of financial penalties premature, at this time. The Commission must first determine whether timeline certainty is improving. Accordingly, the modified Proposal 12i should be adopted to determine whether timeline certainty is improving. The Commission may consider establishing a penalty structure in the future if it determines such a construct would support timely interconnection.¹⁸

- g. Nearly five years have passed since the Decision and data reporting requirements began. PG&E and SCE have consistently failed to meet the timeline requirements ordered by the Decision and have not shown a pattern of substantive improvement towards those requirements.
- 9. Table 1 shows all the maximum allowable timelines in steps of the interconnection process, including those added by the Decision and others that have been in Rule 21 from previous decisions.

¹⁶ WG3 report, p. 22.

¹⁷ WG3 report, p. 22.

¹⁸ Decision, p. 97.

Table 1. Interconnection Timeline Standards in Rule 21

Step in the Interconnection Process	Number of Business Days	PG&E Rule 21 Page Reference
Acknowledgment of application receipt	10	67
Review application for completeness	10	67
Initial Engineering Review	15	78
Supplemental Engineering Review	20	82
Electrical Independence Test (EIT)	20	90
Schedule Detailed Study scoping meeting	5	92
Provide Detailed Study Agreement	15	93
System Impact Study	60	93
Provide Draft Generator Interconnection Agreement		
No Detailed Study	15	78, 86, 87
For Detailed Study	30 CD	101, 117
Draft Generator Interconnection Agreement Executed	N/A	N/A
Issue permission to operate after all materials are final	5	133
End to end process if no major studies are needed	30	42
Determination of a Material Modification	10	72
Line-side taps variance request	N/A	N/A
Design Net Generation Output Meter	20	223
Install Net Generation Output Meter	20	223
Design of interconnection facilities and grid upgrades	60	100, 144
Construction of grid upgrades	60	144
Schedule Commissioning Test	N/A	N/A

The Defendants' Violations

10. **Violation #1:** Since reporting began at the end of 2020, in aggregate across all NEM projects exceeding 30 kW and all non-NEM projects (Qualifying Projects), the Defendants have systematically failed to comply with the provision in Rule 21 that requires them to “use Reasonable Efforts in meeting all the timelines set out in this Rule.”¹⁹ The expectation of Rule 21, as outlined in the definition of “Reasonable Efforts,” is that all timelines should be met for a project unless there is an unusual circumstance (e.g. an unforeseeable event or some unusually exorbitant cost or threat to safety). However, such projects are expected to be unusual and thus should comprise a small percentage of projects. The customer should not expect to face a delay, and such delays should be rare. Table 2 shows that there are many timelines where the Defendants’ failure to meet them is common, if not even the norm.

Table 2: Percentage of Qualifying Projects Where Defendants Meet Rule 21 Timelines

	Initial Review	Supp. Review	EIT	System Impact Study	Design Upgrade	Construct Upgrade
PG&E	74%	45%	71%	49%	81%	81%
SCE	80%	27%	53%	43%	45%	72%

- a. In informal discussions with CALSSA, the Defendants have blamed a surge in applications submitted near the end of NEM2 eligibility, specifically during the several months leading up to April 14, 2023. This argument does not excuse the Defendants for three reasons.
 - i. Before the surge in applications near the end of NEM2 eligibility, the Defendants had already established a pattern where failure to meet the

¹⁹ PG&E Rule 21 F.1.d. SCE Rule 21 D.15.

timelines was common. During a June 22, 2023 workshop (Workshop) held as required by OP 29 of the Decision, PG&E and SCE presented an analysis of their performance up until December 31, 2022 (before the surge). The performance they reported during this workshop is shown below in Table 3. Defendants must be held accountable for their behavior during all periods, including before the surge. Furthermore, the Defendants should not be allowed to avoid accountability for their behavior during the surge by pointing to the higher application volume, considering that the data before the surge indicates that they were unprepared to handle much lower application volumes with Reasonable Efforts.

Table 3: Reported Performance Since Tracking Began Until 12/31/2022²⁰

	Initial Review	Supp. Review	EIT	System Impact Study	Construct Upgrade
PG&E	76%	64%	85%	63%	76%
SCE	88%	86%	94%	71%	100%

- ii. The surge in applications submitted near the end of NEM2 eligibility was reasonably foreseeable. As cited earlier, the definition of “Reasonable Efforts” specifically clarifies that the Defendants are required to follow the “exercise of reasonable judgement in light of the facts known at the time the decision was made.” The OIR to open R.20-08-020 to end NEM2 and establish a new Net Billing Tariff (NBT) was issued on September 3, 2020, and stated that the Commission intended “to adopt a successor to

²⁰ 95% Metric Report Pursuant to D.20-09-035, PG&E, June 22, 2023. SCE’s Rule 21 95% Metric Report Pursuant to D.20-09-035, June 22, 2023.

existing NEM tariffs no later than December 31, 2021.”²¹ The Defendants were on notice that there would be a tariff transition starting from September 2020 and that the date of the transition itself would be in December 2021. The Defendants furthermore had reason to believe that NBT would be less attractive to customers. An entity “exercising reasonable judgement in light of the facts known” would therefore conclude that customers would likely hurry to install solar under the more attractive NEM2 tariff before it became unavailable. Further, an entity undertaking efforts “equivalent to those a Party would use to protect its own interests” as required by the definition of Reasonable Efforts would then begin preparing to meet timelines for higher application volume. The financial and reputational damage of long interconnection delays comprise a serious threat to the interests of customers and solar providers. If the Defendants had acted as if those interests had been their interests, the Defendants would have begun thorough preparations. The deadline to implement NBT was extended until April 14, 2023, giving the Defendants nearly 16 additional months of preparation time.

- iii. Most of those applications submitted near the end of NEM2 eligibility have been processed, and yet the evidence shows that the Defendants’ delays are often worse now than during the end of NEM2 eligibility. Lower application volume should imply higher timeline compliance from the Defendants if they had been applying Reasonable Efforts, yet timeline compliance has decreased. This gross and repeated violation of interconnection timelines even when application volume has decreased clearly does not meet the Reasonable Efforts standard and cannot be considered Good Utility Practice. Table 4 shows PG&E timeline performance during the surge and compares that to performance in the quarters after most of the surge had been processed, starting in Q1 2024 (eight months after the end of NEM eligibility). Table 5 does the same for

²¹ *Order Instituting Rulemaking to Revisit Net Energy Metering Tariffs Pursuant to Decision 16-01-044, and to Address Other Issues Related to Net Energy Metering*, p. 10.

SCE. Figures 1-10 provide a visual representation of the pattern that Tables 4 and 5 show.

Table 4: PG&E Compliance Over Time

	Initial Review	Supp. Review	EIT	System Impact Study	Design Upgrade	Construct Upgrade
Q2 2023 (NEM2 application surge)	73%	39%	78%	48%	83%	56%
Q1 2024	71%	36%	52%	38%	98%	87%
Q2 2024	77%	39%	36%	27%	100%	84%
Q3 2024	83%	30%	48%	23%	99%	81%
Q4 2024	88%	23%	63%	33%	100%	82%
Q1 2025	77%	26%	70%	0%	99%	72%
Q2 2025	82%	38%	76%	0%	96%	56%

Table 5: SCE Compliance Over Time²²

	Initial Review	Supplemental Review	EIT	System Impact Study	Design Upgrade	Construct Upgrade
Q2 2023 (NEM2 application surge)	75%	23%	93%	N/A*	100%	67%
Q1 2024	76%	21%	69%	33%	N/A**	N/A**
Q2 2024	65%	38%	35%	50%	N/A**	N/A**
Q3 2024	71%	9%	19%	0%	73%	85%
Q4 2024	90%	27%	44%	40%	38%	78%
Q1 2025	88%	20%	67%	30%	17%	0%
Q2 2025	98%	83%	67%	71%	36%	69%

*Only one project in this category.

** No projects in this category.

- b. Tables 4 and 5 additionally demonstrate that the Defendants’ timeline performance over recent quarters has stagnated at levels where failure to meet the timelines is common. Figures 1-10 provide a visual view of the same data shown in Tables 4 and 5. These recent quarters, beginning in 2024 Q1, are well after the end of the surge of applications to meet the NEM2 deadline. This stagnation over a long period of time is inconsistent with the expected results of an entity that is applying Reasonable Efforts to meet all timelines for all projects.

²² It is possible to use the “Project ID” column in the SCE data to determine which quarter a timeline for a project belongs to. If it exists in the 2024 Q2 report, but not in the 2024 Q1 report, this implies that the timeline for the project was completed in 2024 Q2, since each SCE report was cumulative until the 2025 Q2 report.

Figure 1

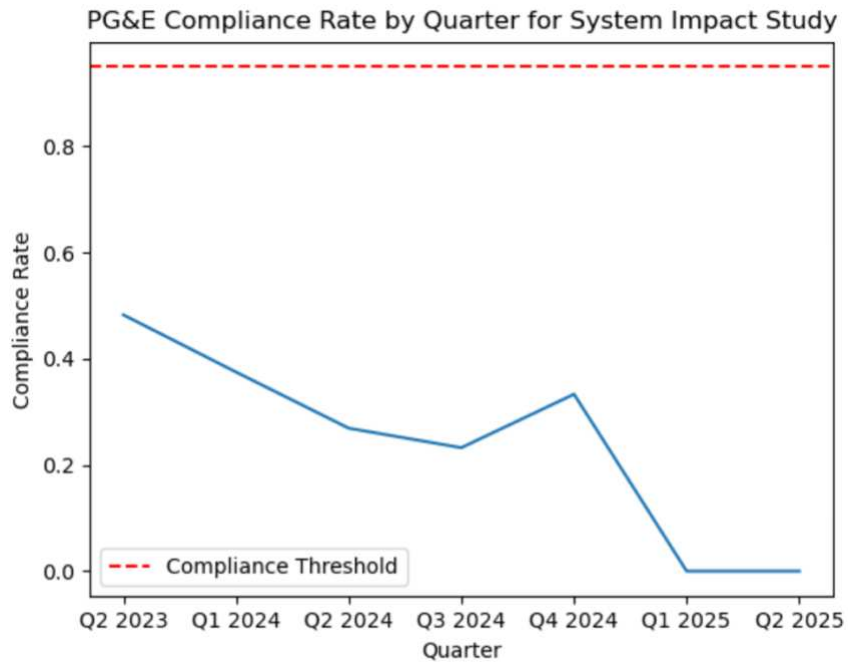


Figure 2

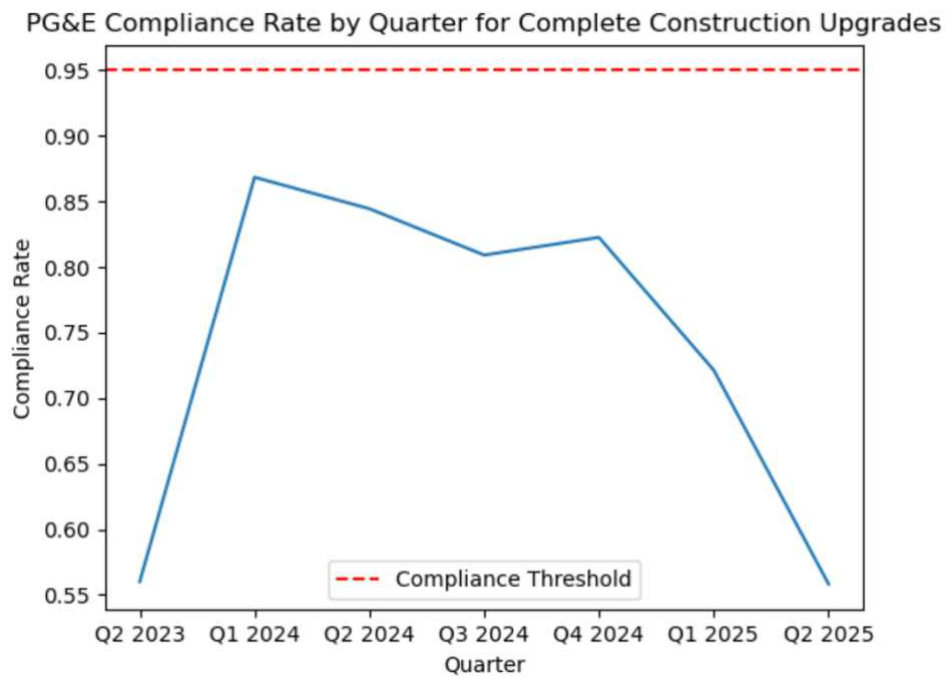


Figure 3

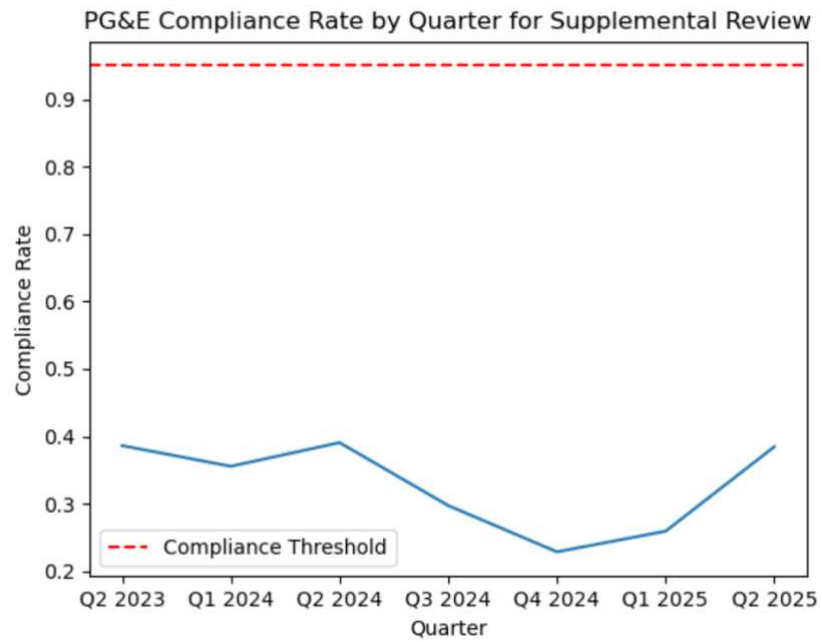


Figure 4

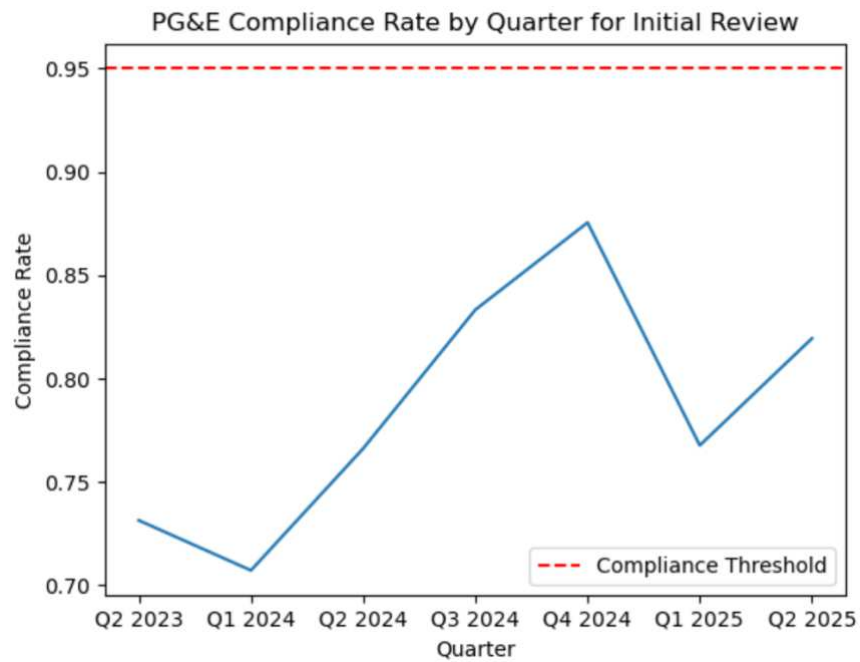


Figure 5

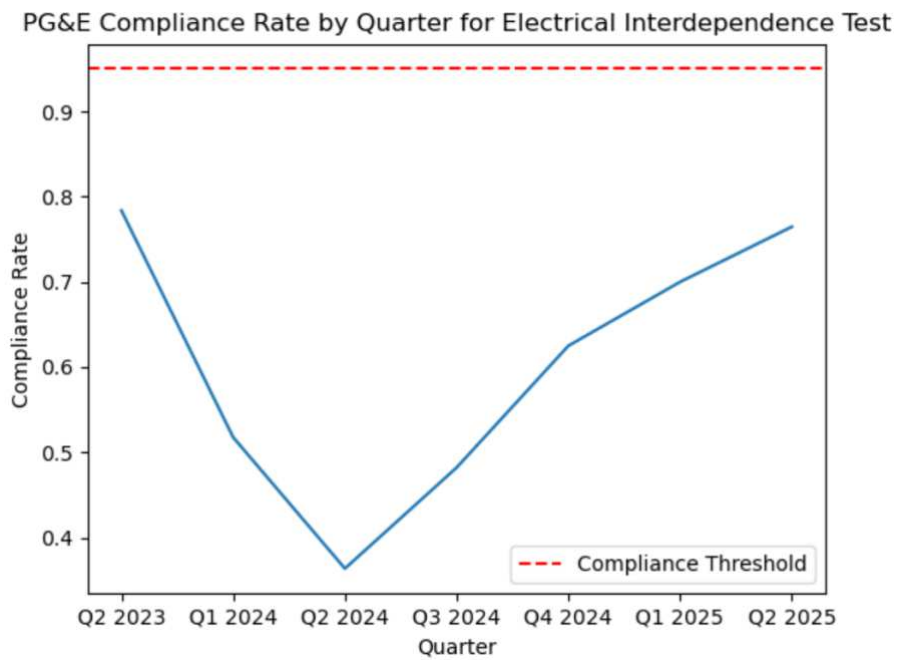


Figure 6

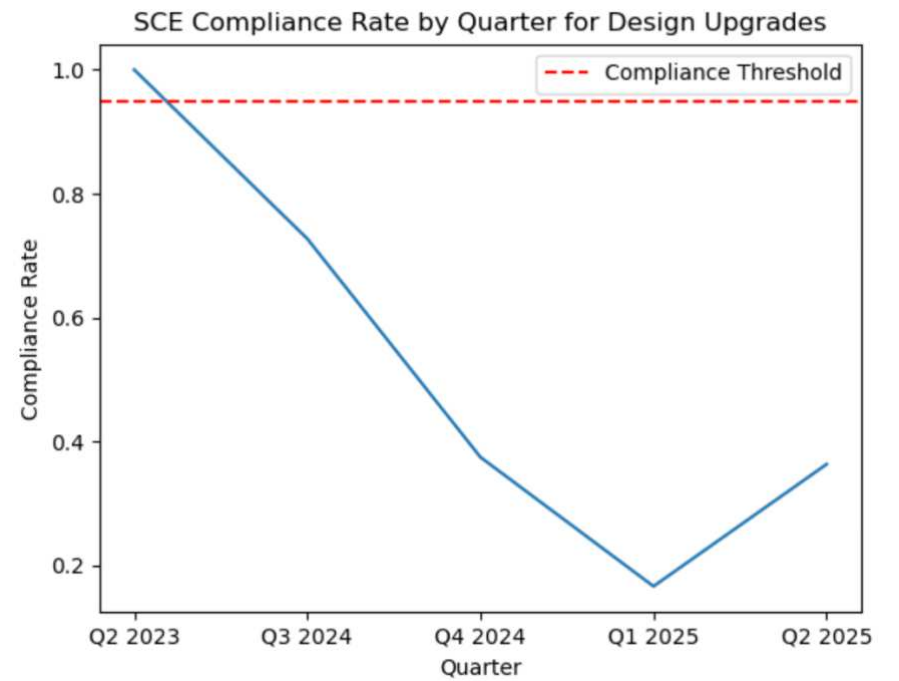


Figure 7

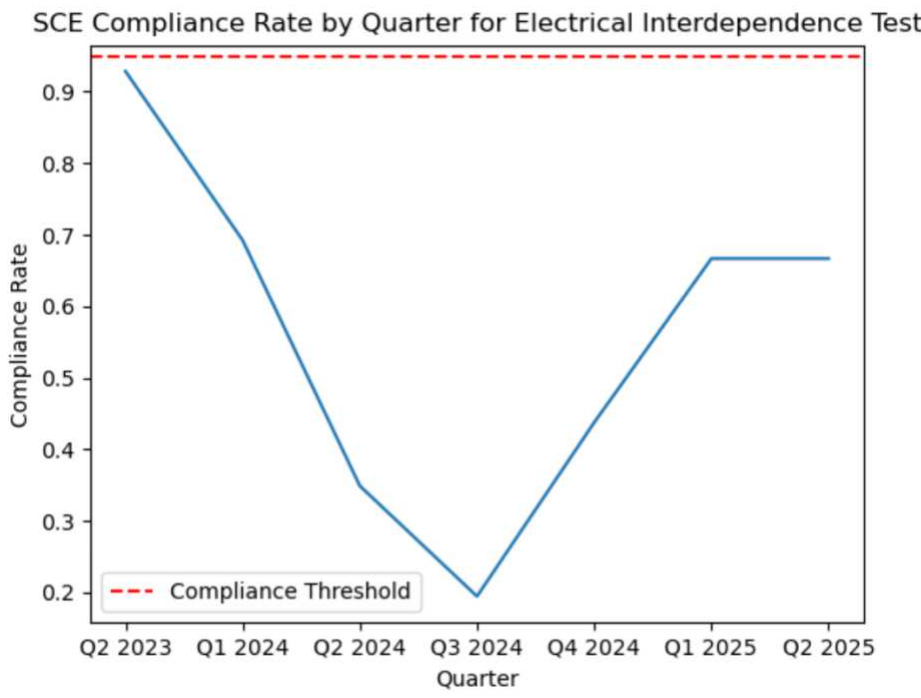


Figure 8

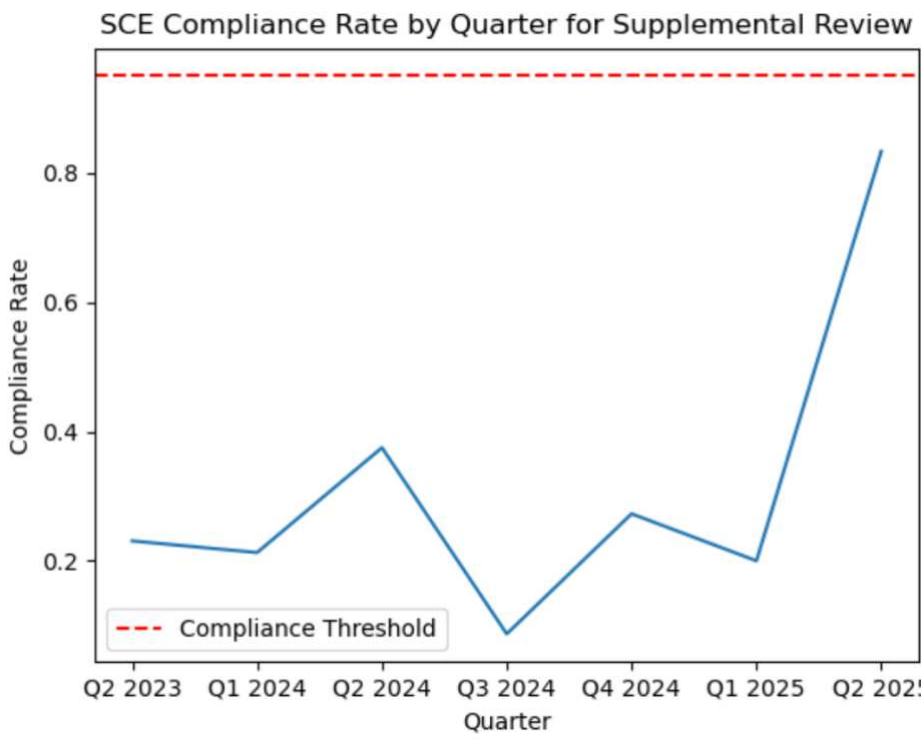


Figure 9

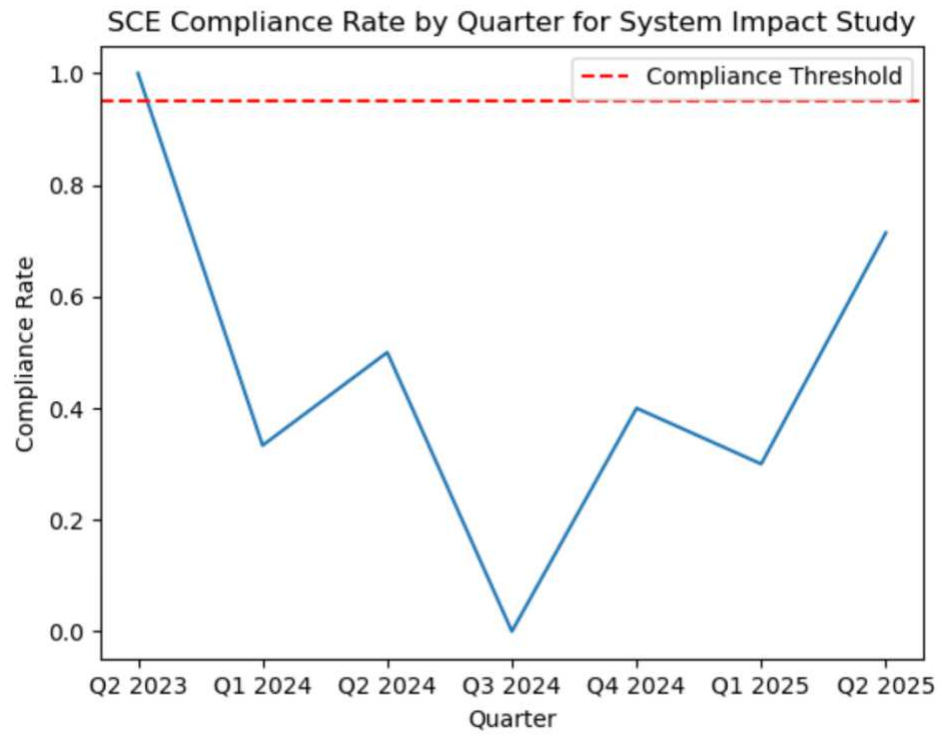
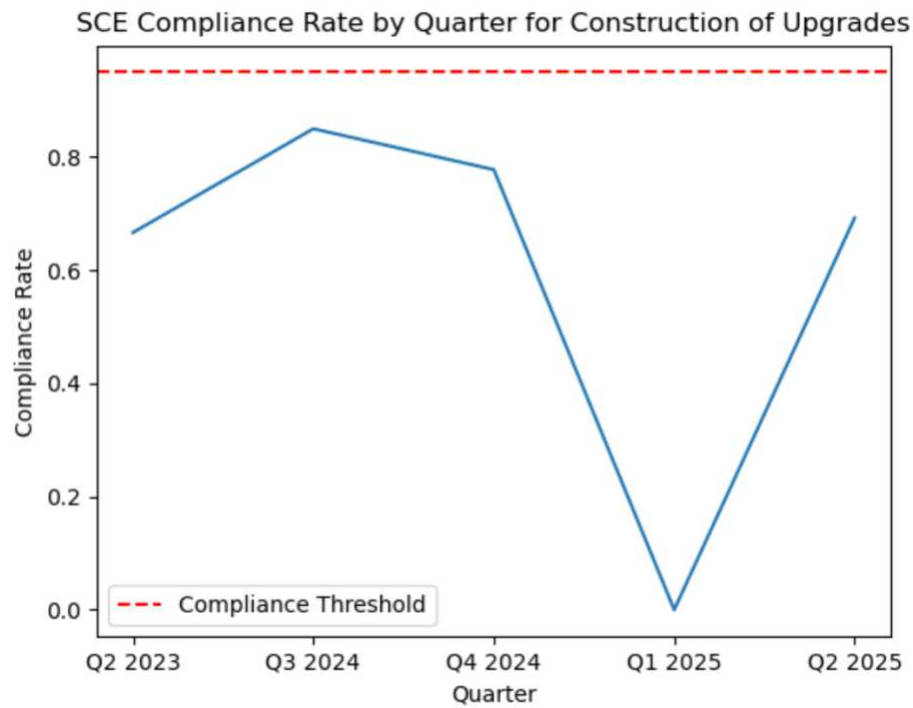


Figure 10



- c. The failure of the proposed improvement paths from the Defendants at the Workshop is further evidence that they have not applied Reasonable Efforts to comply with the timelines provision in Rule 21. As stated earlier, PG&E and SCE presented an analysis of their performance up until December 31, 2022 (performance reported during Workshop shown in Table 1). For each timeline that was met less than 95% of the time, the Defendants presented a proposed improvement path that would get them to 95% within a reasonable amount of time. However, these improvements have failed for many of these timelines, implying that the Defendants have either failed to implement the proposed improvements or failed to complete the necessary due diligence to diagnose how to improve their processes. Both of those outcomes fail to meet the Reasonable Efforts standard.
- i. During the Workshop, PG&E acknowledged that its performance was not in compliance for initial review. Regarding improving its performance, PG&E stated:

Improvement Path: Our engineering organization experienced a high rate of turnover. We are hiring in order to close this gap, to reach our target level of staffing, however we were unable to meet the 95%. The studies involve hand-offs that are sometimes problematic, and we are reviewing our processes for opportunities to automate the hand-off process and eliminate errors. We are also reviewing the times it takes to perform individual steps and trying to improve each piece of the study process.²³

SCE shared a similar statement at the Workshop:

Improvement Path: SCE was unable to meet the 95% target due to a number of factors including the amount of time it takes for SCE to receive additional information from the customer, handoff involved when the NEM project was determined to need to be

²³ 95% Metric Report Pursuant to D.20-09-035, PG&E, June 22, 2023, p. 8.

processed as a complex NEM project, data entry error, and training needs for new staff (PMs, Engineers). SCE continues to improve the process of transferring NEM projects deemed complex from one organization to another (i.e., CGP to GICD) and one tool to another (i.e., PCI to IReq), and train staff on compliance with timeline requirement and importance of timely and accurate data entry.²⁴

Both PG&E and SCE expressed that the process for “hand-offs” or “transferring” was leading to delays and that improvements would occur there. Furthermore, PG&E explicitly identified that staff turnover was contributing to delays and that hiring more staff was a potential solution. Although SCE did not identify the same issue explicitly, it did identify training staff adequately as a process challenge. Overall, the Workshop presentations indicated that a combination of improved processes and adequate staffing could result in compliance in the future.

However, PG&E’s performance on initial review since the Workshop has not shown clear signs of improvement, as shown in Figure 4. Its current overall performance on initial review is 74%, compared to the 76% figure provided in the Workshop. In recent quarters, PG&E’s performance on initial review has oscillated in the 71-88% range. Similarly, SCE’s performance on initial review since the Workshop has fluctuated, falling as low as 65%, as shown in Table 5. SCE’s current performance on initial review is 81%, compared to the 88% figure provided in the Workshop. Anecdotally, handoffs between different teams continues to be a major source of delays in both PG&E and SCE territory. Similarly, many customers have had their projects delayed in PG&E territory because their assigned PG&E staffer was no longer at PG&E. Further, poorly trained

²⁴ *SCE’s Rule 21 95% Metric Report Pursuant to D.20-09-035*, June 22, 2023, p. 7.

staff continue to be an issue anecdotally in SCE territory, with a common consequence being incorrect claims of deficiencies that delay progress.

- ii. During the Workshop, PG&E repeated the same improvement path used for initial review for supplemental review and system impact study.²⁵ However, the lack of improvement is even more stark for these two timelines, as shown in Figures 1 and 3. In the most recent quarter, PG&E only completed supplemental review on time for 38% of projects and system impact study on time for no projects at all. Similarly, SCE repeated the same improvement path used for initial review for supplemental review.²⁶ However, as indicated by Table 6, since the Workshop SCE has only completed supplemental review on time for 25% of projects, a marked deterioration from the 86% figure reported at the Workshop. In contrast to PG&E, SCE explained its failure to comply for system impact study as an “error in manually calculating the days involved in the timeline” and explained that “[t]he error was mitigated as SCE contains to train staff on compliance with timeline requirement and importance of timely and accurate data entry.”²⁷ However, given that SCE’s performance for system impact study has fluctuated between 30%-71% in the last three quarters, compared to the 71% figure stated during the Workshop, it is clear that there is a larger issue.
- iii. Regarding the construction of upgrades, PG&E stated the following in the Workshop about its 76% on-time completion rate:

Improvement Path: PG&E has implemented regular review by frontline leadership to continue to improve performance and forecasts to come into compliance for YTD % by end of 2023.

²⁵ 95% Metric Report Pursuant to D.20-09-035, PG&E, June 22, 2023, p. 9, 13.

²⁶ SCE’s Rule 21 95% Metric Report Pursuant to D.20-09-035, June 22, 2023, p. 8.

²⁷ SCE’s Rule 21 95% Metric Report Pursuant to D.20-09-035, June 22, 2023, p. 11.

PG&E construction is currently at 82% for last week and 79% for the last four weeks.²⁸

The attention of frontline leadership has been insufficient to improve performance in the manner that PG&E described. Its overall performance sits at 81% and its on-time completion rate deteriorated to 56% in the most recent quarter. Interestingly, although SCE reported 100% compliance for the construction of upgrades at the Workshop, its performance since the Workshop has deteriorated to 69%, as shown in Table 5.

- d. Not only do the Defendants miss the ordered timelines, but they also frequently miss them by a significant margin. The distribution of customer wait times is often very wide, introducing significant uncertainty for customers. A comparison of Figure 11 and Figure 12 demonstrates that PG&E performance in this regard has degraded in recent quarters compared to their historical distribution. Compliance is worse in recent quarters than over the full reporting period. Furthermore, Figure 12 shows that many customers are waiting 75 business days or more, when the maximum timeline is ordered to be 20 business days. This translates to an additional wait time, on top of the maximum expected time, of three or more months.

²⁸ *95% Metric Report Pursuant to D.20-09-035*, PG&E, June 22, 2023, p. 24.

Figure 11: Distribution of PG&E Supplemental Review Performance Since Tracking Began

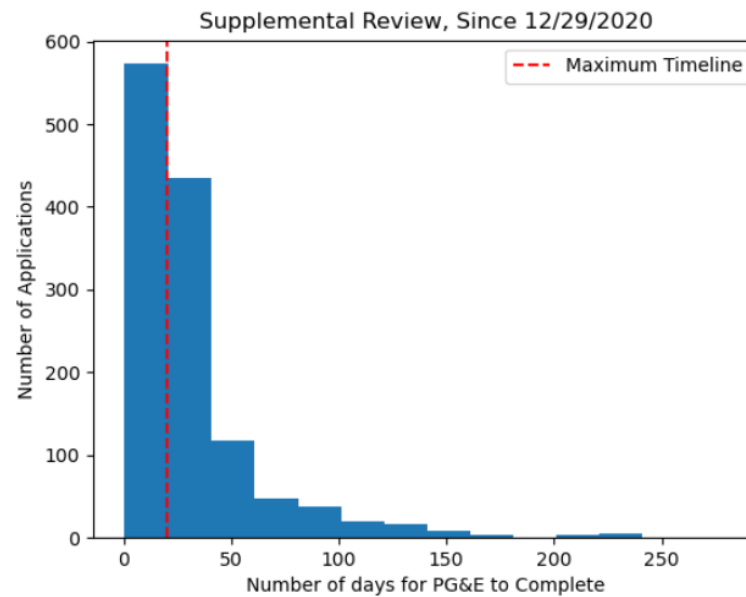
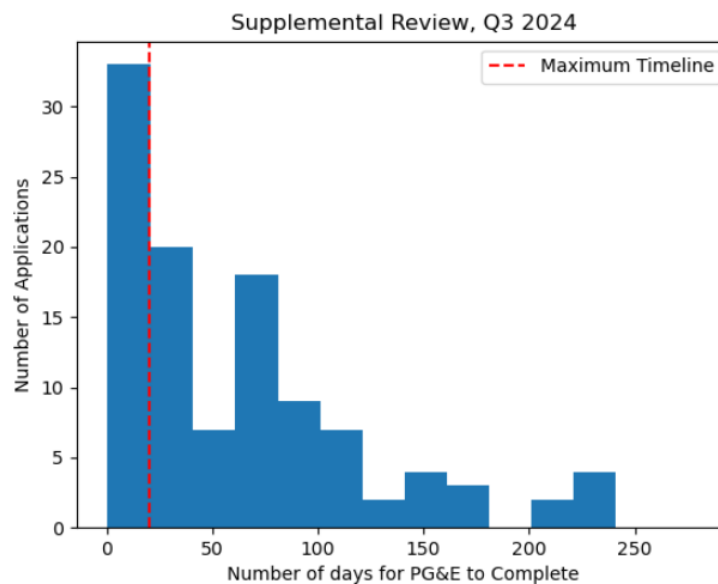


Figure 12: Distribution of PG&E Supplemental Review Performance in Q3 2024



The same trend is true for System Impact Studies. Figures 13 and 14 show that performance in recent quarters is far worse than performance over the full

reporting period, with a majority of projects waiting months longer than the requirement.

Figure 13: Distribution of PG&E System Impact Study Since Tracking Began

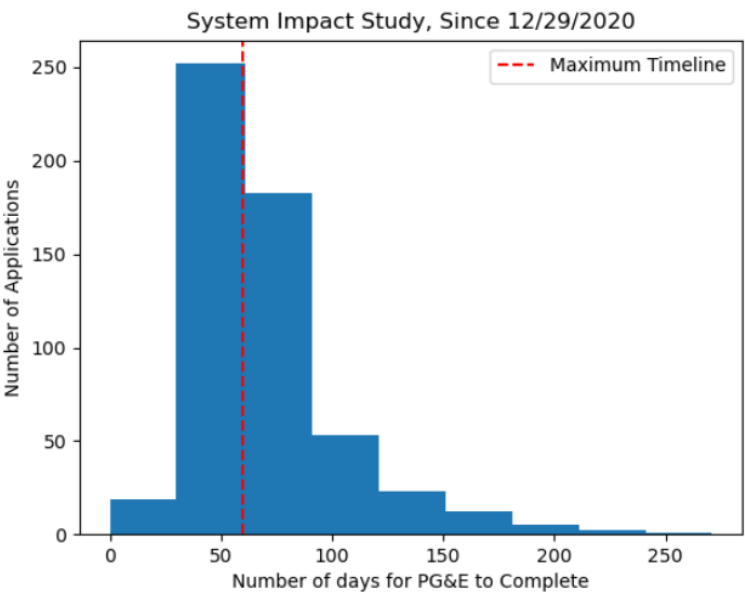
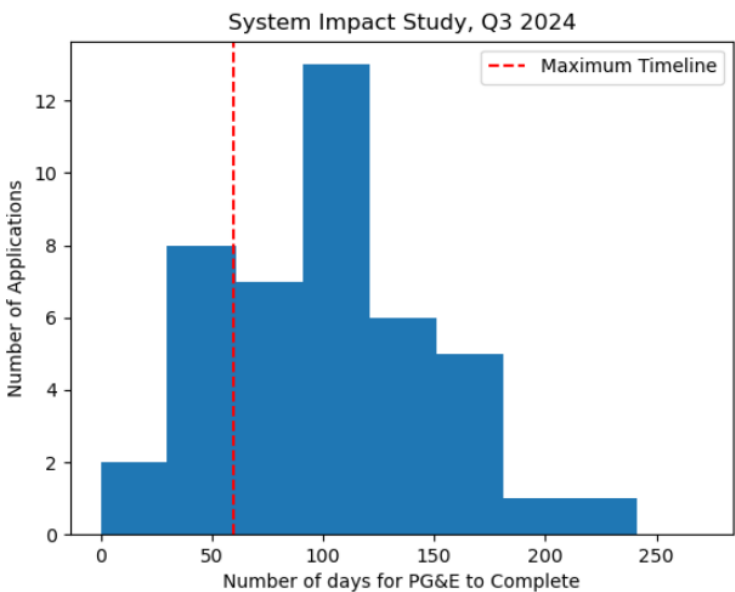


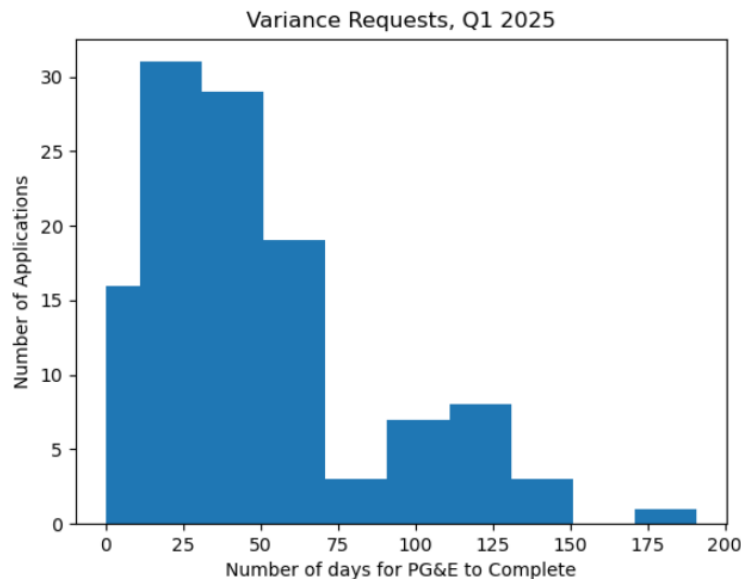
Figure 14: Distribution of PG&E System Impact Study in Q3 2024



As shown by Figure 15, the distribution of customer wait times for variance requests is similarly scattered and unpredictable. Although the Decision ordered

the IOUs to track this timeline, there is currently no listed timeline for this stage in Rule 21. The wide distribution of timing for variance requests demonstrates the need for the Commission to both institute a specific required timeline for variance requests as well as to enforce it with substantive financial penalties.

Figure 15: Distribution of PG&E Variance Requests in Q1 2025



11. **Violation #2:** The Decision created a standard in OP 28 that, “Within two years of the commencement of tracking required by Ordering Paragraph 23, no less than 95 percent of non-net energy metering projects and net energy metering projects greater than 30 kilowatts **shall meet** all timelines listed in Ordering Paragraph 23.” Since completion of the first two years of tracking, the Defendants have failed to correct their practices to achieve the 95 percent standard ordered by OP 28.
 - a. The reporting began on December 29, 2020. Two years of reporting was completed by the end of 2022, at which point there was a clear record of non-compliance, and the Defendants should have been able to remedy their failures.
 - b. However, Defendants continued their failure to meet the 95% standard after the end of the two-year period. Table 6 shows the Defendants’ performance beginning after the end of the two-year period (starting on January 1, 2023).

Table 6: Compliance Rate for Key Stages with Reported Timelines Since 2023

	Initial Review	Supp. Review	EIT	System Impact Study	Design Upgrade	Construct Upgrade
PG&E	74%	32%	61%	38%	91%	74%
SCE	80%	25%	51%	40%	45%	72%

- c. Table 6 shows that there are many timelines where the Defendants are not close to 95% compliance. Although the Defendants may complete some more elementary steps on time for at least 95% of projects (e.g. sending the customer a receipt after application submittal), they have failed to provide that same timeline certainty for steps that require review. This is contrary to the intent of OP 28 of the Decision to address Issue 12, which specifically highlighted improving timeline certainty for steps that require review (e.g. construction, cost estimation, etc.).
- d. More recently, Energy Division discussed this interconnection timeline data at length during the Interconnection Discussion Forum on April 8, 2025. At this forum, Energy Division stated that “Energy Division is aware that utilities are not meeting 95% benchmarks for many timelines and that full compliance with the 95% benchmark was originally ordered in 2020 to be achieved within two years (by 2023).”²⁹

Case Studies of Customers Who Suffered Damages from the Defendants’ Delays

12. RYSE is a community center for disadvantaged youth in Richmond that worked with Sun Light & Power to install a solar system. RYSE suffered over three years of interconnection delays with PG&E. PG&E staff were uncommunicative regarding equipment requirements, unresponsive regarding scheduling shutdowns, and slow in completing basic interconnection steps. This behavior caused significant hardship for a planned resilience center in an area that already suffers frequent brownouts from PG&E.

²⁹ CPUC Interconnection Discussion Forum slides, April 8, 2025, Slide 9.

More information on PG&E's role in this customer hardship can be found in an article written in the Richmondside.³⁰

13. Los Gatos Tomato Products is a vital agricultural processor in California's Central Valley that is working with Brightsky Renewables and Pickett Solar to build a 3.5 MW project in Huron. The customer submitted their interconnection application on August 1, 2022, yet the project is still ongoing. PG&E took three more months than allowed by Rule 21 to complete the Distribution Group Study (DGS) Phase I Interconnection Study. Following this delay, PG&E was 301 days late in delivering the initial Special Facilities Agreement (SFA). The SFA charged the customer an extra \$896,821, on top of the \$551,594 charged from the DGS, bringing total costs to the customer to \$1,523,051. The SFA introduced unexpected requirements above and beyond what was identified by the DGS, including relocating the regulator bank, using a composite pole, and constructing a paved access road. This tripled costs above the DGS estimate. Following customer appeal of these increases in scope and costs, PG&E conceded that the composite pole and paved access road requirements were unnecessary, reducing total costs to \$892,271. In total, the customer has endured 366 days of utility-caused delay and \$630,780 in unnecessary costs.
14. Cut Loose is a local clothing store in San Francisco that has been manufacturing and operating in the city since the 1970s. Cut Loose worked with Luminalt on a 63 kW solar system. Although the work was completed and final inspection completed by the San Francisco Department of Building Inspection on May 21, 2024, the project did not receive permission to operate until August 3, 2025. Cut Loose paid an engineering advance of \$3,432 on October 19, 2023, and the SFA payment of \$26,517 on November 4, 2024. Since then, the customer reached out many times for project scheduling updates to no avail. The only responses were no response at all, out of office replies, or apologies and announcements of delays in PG&E's construction work. A substantive response was finally received in April 2025, stating that the project had been finally scheduled for construction in March 2025, but PG&E had cancelled last minute. In May 2025, PG&E notified the customer that they would need to pay to upgrade their

³⁰ Richmondside, "RYSE says it can't fully use solar-powered emergency shelter due to PG&E delays", March 21, 2025. <https://richmondside.org/2025/03/21/pge-blamed-for-solar-delays-richmond-nonprofit/>.

weatherhead. PG&E was unable to satisfactorily explain why this information was provided this late in the process, given that the engineering advance was paid in late 2023 and work had already been scheduled earlier in the year.

15. PATH Villas Eucalyptus Apartments provides forty housing units for low-income seniors in Inglewood. PATH Apartments has been working with PearlX on a solar system to lower housing costs for its low-income senior residents. Although the customer submitted their application in April 2023, they did not receive permission to operate until August 4, 2025. Throughout this 2.5-year struggle, SCE consistently went months without responding. It took SCE 68 business days to complete supplemental engineering review, two more months than the 20-business day timeline in Rule 21. Furthermore, it took SCE 49 business days to install a Net Generation Output Meter (NGOM), more than twice the time allowed by Rule 21. Following the NGOM installation on December 28, 2024, the customer repeatedly requested permission to operate without response from SCE. In January 2025, SCE incorrectly stated that the NGOM still needed to be installed, even though it had already been installed. For several more months after this, the customer was then forced to redo paperwork that had already been approved, waiting for weeks for a response at each turn. Ultimately, it took SCE 147 business days to issue permission to operate after all materials are final. Rule 21 requires SCE to do so in 5 business days.
16. Humangood is a non-profit that operates a senior center in Los Gatos. Humangood has been working with SolarGain to build a 308 kW solar system to lower costs for senior living. Although the customer submitted their interconnection application on March 4, 2023, the project is still ongoing. PG&E has been aware of the need for substation work since July 2023, yet has repeatedly delayed the construction timeline, with the most recent delay being from Q2 2025 to Q4 2026 – Q1 2027. This 4+ year delay by PG&E is exposing the non-profit to significant financial risk and increased costs.
17. The Tustin branch of Toyota has been working with A-celectric to install a 600 kW solar system that can lower the local car dealer's carbon footprint. Although Toyota's interconnection application was submitted on January 20, 2023, SCE did not complete initial engineering review until May 12, 2025. Toyota was stalled for nine more months than what is allowed in Rule 21 for SCE to complete this stage. When SCE finally

completed its initial work, SCE notified the customer that there would need to be a transformer upgrade. Furthermore, SCE indicated that this transformer upgrade may take upwards of 6-12 months for completion, even though Rule 21 requires SCE to complete this within 120 business days.

18. Golden Sands Apartments is an apartment complex in Victorville. Golden Sands has been working with PearlX on a solar system. Although the customer submitted their application on December 15, 2023, they still do not have permission to operate. Throughout this nearly two year long struggle, SCE has been unresponsive with respect to engineering review, scheduling shutdowns, and processing NGOM invoices. It took SCE 338 business days to complete supplemental engineering review, far longer than the 20-business day timeline in Rule 21. The request to install a NGOM has been outstanding for 56 business days and counting, since June 4, 2025.
19. Woolf Farming is a certified B Corporation that operates a sustainable farming operation in the Central Valley. Producing local foods since 1974, Woolf focuses on items such as almonds, tomatoes, pistachios, garlic, and more. Woolf has been working with Brightsky Renewables and Pickett Solar to install solar systems that can ensure that its operations are carbon neutral. However, Woolf has four separate solar systems that have been severely delayed by PG&E's inability to provide the special facilities agreement (SFA). For one of its solar projects, even though the study was issued on November 28, 2022, PG&E was unable to provide the SFA until March 14, 2025. Rule 21 requires PG&E to provide the SFA within 30 business days (which would have been January 9, 2023). This constitutes a delay of 569 days. These are 569 critical days where the customer has been unable to recoup its investment. Unfortunately, other distinct solar projects have undergone similar delays with the SFA. Serious delays like these mean that the farm must go much longer without being able to recover their investment, introducing significant financial risk.
20. Flamingo Apartments is an apartment complex in Bellflower. Flamingo Apartments has been working with PearlX on a solar system. Although the customer submitted their application on December 13, 2023, they still do not have permission to operate. Throughout this nearly two year long struggle, SCE has been unresponsive and slow to conduct engineering review, process NGOM invoices, and coordinate shutdowns with

their own planning department. SCE took 185 business days to complete supplemental review, far longer than the 20-business day timeline in Rule 21. It has been 317 days and counting since the customer requested an NGOM installation.

II. The issues to be considered.

For the purposes of this section, “Qualifying Projects” is defined as all non-NEM projects and all NEM projects exceeding 30 kW.

- 1) In aggregate across all Qualifying Projects since December 29, 2020, have the Defendants used Reasonable Efforts to meet all timelines in Rule 21?
- 2) Since the ending of the two-year reporting period on December 29, 2022, have the Defendants met the directive of OP 28 of D.20-09-035 that at least 95% of all timelines be met for Qualifying Projects?
- 3) If the Defendants have failed to do either or both of the above, how significant does the financial penalty need to be to match the severity of the violations and to deter future violations?
- 4) Is a one-time financial penalty sufficient to deter future violations? Does an ongoing financial penalty framework need to be established?

III. Proposed Schedule

Currently, CALSSA does not believe a hearing is needed since it does not believe that there are facts in dispute. The data in this complaint is drawn from the Defendants’ own self-reported data. However, CALSSA reserves the right to request a hearing at a later date. CALSSA also believes that it is important to resolve this complaint quickly. Interconnection delays are more urgent than ever since Congress passed a Trump administration proposal to end the federal investment tax credit (ITC) early. Many residential projects must be completed by the end of this year to secure the ITC. All non-residential projects must be completed by the end of 2027 to secure the ITC, and to meet this timeline interconnection review must happen early in the development process to allow time to construct challenging projects. Interconnection delays caused by the Defendants are jeopardizing the ability of projects to do so. See below for proposed schedule:

Response to Complaint from Defendants	September 29, 2025
Prehearing Conference	October 7, 2025

Deadline for Parties to Request a Hearing	October 7, 2025
Scoping Memo	October 27, 2025
Comments on Scoping Memo	November 17, 2025
Opening Brief from CALSSA	December 16, 2025
Opposing Brief from Defendants	January 15, 2026
Reply Brief from CALSSA	February 16, 2026
Proposed Decision	March 16, 2026

IV. State clearly the exact relief desired.

1. Pursuant to Section 702 of the Public Utilities Code, “[e]very public utility shall obey and comply with every order, decision, direction, or rule made or prescribed by the commission in the matters specified in this part, or any other matter in any way relating to or affecting its business as a public utility, and shall do everything necessary or proper to secure compliance therewith by all of its officers, agents, and employees.”
2. Pursuant to Section 2101 of the Public Utilities Code, the Commission is directed “to see that the provisions of the Constitution and statutes of this State affecting public utilities, the enforcement of which is not specifically vested in some other officer or tribunal, are enforced and obeyed, and that violations thereof are promptly prosecuted and penalties due the state therefor recovered and collected . . .”
3. It follows that the Commission has the authority, and further has an obligation, to enforce Rule 21 and the Decision and promptly prosecute violations.
4. As stated in CPUC Resolution M-4846, “[t]he purpose of a penalty is to go beyond restitution to the victim and to effectively deter further violations by the perpetrator or others. Effective deterrence creates an incentive for regulated entities to avoid violations.”³¹ Therefore, the Commission should require the Defendants to pay a financial penalty with sufficient magnitude to deter them from further violations of Rule 21 and the Decision.
5. **Requested Relief #1:** CALSSA asks that PG&E and SCE each pay \$5 million in financial penalties for their gross and repeated violations of Rule 21 and the Decision.

³¹ CPUC Resolution M-4846, Appendix I, p. 16.

CALSSA requests that the Commission set this financial penalty at a higher level if, in the Commission’s judgment, more is needed for deterrence and restitution.

6. **Requested Relief #2:** CALSSA further asks that the Commission establish a penalty framework that shall be assessed on a quarterly basis moving forward. Although the Defendants should be penalized for their past violations, a one-time fine on its own is unlikely to be sufficient deterrence for the future. Filing a complaint is an extremely involved endeavor for any individual company and customer. The process is similarly consuming for trade associations. Furthermore, processing and reviewing a complaint is demanding for the Commission. Creating a system of penalties for future violations is critical for incentivizing the Defendants to avoid future violations. If a structure for financial penalties is put in place, it is our expectation that penalties would rarely be assessed. PG&E, SCE, and SDG&E are all capable of meeting interconnection timelines in 95% of applications. The threat of penalties is needed to motivate the Defendants to take these actions.
- a. This penalty framework should be a tiered structure where the severity varies based on IOU performance. Furthermore, the magnitude of the financial penalties should be significant enough to motivate the IOUs to comply. Although it is not entirely clear what that magnitude is, CALSSA proposes that the Commission begin by assessing the penalties outlined in Table 7. If penalties of this magnitude are not enough to motivate the IOUs to comply within one year, the Commission should consider increasing them.
 - b. There are 16 tracked timelines that are covered by the 95% compliance goal established in OP 28 of the Decision. An effective penalty framework would establish a separate penalty for each timeline to ensure that each timeline is followed. The total financial penalty would be the sum of the individual financial penalties across timelines. In practice, CALSSA expects that only around six timelines would result in penalties if PG&E and SCE do not improve their operations.

Table 7: Proposed Quarterly Penalty for Each Timeline

Compliance Rate	Fine in dollars
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95% - 100%	\$0
85% - 95%	\$125k
75% - 85%	\$250k
65% - 75%	\$375k
55% - 65%	\$500k
45% - 55%	\$625k
35% - 45%	\$750k
25 % - 35%	\$875k
15% - 25%	\$1 million
0% - 15%	\$1.125 million

- c. This framework for financial penalties should be designed to apply to all three IOUs. Although PG&E and SCE are the only two IOUs currently out of compliance, such a framework would not penalize SDG&E since they have already shown that they are consistently in compliance. Furthermore, it would be unreasonable to design a framework that only penalizes violations in specific utility territories when timeline violations should be treated as equally important across all utility territories. This would encourage SDG&E to keep up the good work.
 - d. CALSSA requests that the Commission institute these penalties as soon as possible. For example, this may be done at any time via Administrative Enforcement Order or an Order Instituting Investigation.³² Alternatively, if the Commission chooses to address Relief #2 in the new interconnection proceeding, this should be done in an accelerated track due to the time-sensitive nature of these delays in light of the limited window to secure the federal investment tax credit (ITC) before its accelerated termination date.
7. **Requested Relief #3:** CALSSA further requests that the Commission grant any relief that the Commission determines to be just and reasonable.
 8. Penalties for previous violations and a schedule of penalties for future violations are both needed to influence systemic failures by the Defendants. This is needed now more

³² CPUC Resolution M-4846, Findings 6, 7.

than ever. In addition to the poor treatment of customers that has been ongoing, many customers are now seeking to complete solar installations before the expiration of federal tax credits. The U.S. Congress recently passed a Trump Administration proposal known as the One Big Beautiful Bill. This new law requires residential projects to be completed by the end of 2025 and non-residential projects to be safe harbored by July 2026 or completed by the end of 2027 to receive the ITC. For non-residential projects, engineering review of an interconnection application must be completed well before construction begins. Many customers will move forward with solar installations with expectations of meeting these deadlines, only to be delayed by utilities that routinely ignore timeline requirements. This financial harm can be reduced by motivating utilities to improve their staffing practices and application processing systems, which would result from imposition of fines.