

GW2/ms6 5/11/2012



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

Application of California-American Water Company (U210W) for Approval of the Monterey Peninsula Water Supply Project and Authorization to Recover All Present and Future Costs in Rates.

Application 12-04-019  
(Filed April 23, 2012)

**ADMINISTRATIVE LAW JUDGE'S RULING SETTING A PREHEARING CONFERENCE AND INVITING PREHEARING CONFERENCE STATEMENTS**

This ruling schedules a Prehearing Conference (PHC) for June 6, 2012, and requests the filing of Prehearing Conference Statements by June 4, 2012. The PHC will address the status of interested persons for the Service List, the availability of mediation and facilitation services, the need for a hearing, the issues that should define the scope of the proceeding, the relationship between the Certificate of Public Convenience and Necessity and California Environmental Quality Act elements of the proceeding and the schedule.

The Application was filed on April 23, 2012, and notice of the filing appeared on the Daily Calendar on April 25, 2012. The thirty-day period for filing protests and responses ends on May 25, 2012, and the Applicant will have until June 4, 2012, to file any response thereto.

The Cease and Desist Order of the State Water Resources Control Board requires that a replacement water supply be on line in December 2016. In this proceeding the Applicant, California-American Water Company proposes a project to provide the replacement water by that deadline. Against a backdrop of

years of failed initiatives this proceeding can be expected to be time sensitive throughout. For that reason I am taking the unusual step of having a PHC within a few days of the end of the combined protest and response period. This will not preclude the possibility of holding another PHC thereafter.

In general, with respect to the time pressures associated with this proceeding, I want to avoid having the inherent pressure of a consequential deadline undermine what needs to be a fully deliberative process.

I am inviting preconference statements from the Applicant and interested entities that expect to seek party status, realizing that concurrent time demands for the preparation of protests or responses may prevent some entities from preparing statements. There will be an open discussion at the PHC of the subjects being covered in the preconference statements.

**IT IS RULED that:**

1. The Prehearing Conference will be held on Wednesday, June 6, 2012, beginning at 10:00 a.m., at the Commission Courtroom, State Office Building, 505 Van Ness Avenue, San Francisco CA 94102.
2. Prehearing Conference Statements, on the following subjects and filed by June 4, 2012, are invited from entities expecting to seek party status:
  - a. Issues that should define the scope of the proceeding.
  - b. The value or not of holding a workshop for the parties.
  - c. The prospects, if any, for timely and productive settlement discussions, with or without facilitation/mediation.
  - d. Comments on the Schedule proposed in the California-American Water Company Application at 26.

3. This ruling shall also be served upon the Service List in Application 04-09-019.

Dated May 11, 2012, at San Francisco, California.

/s/ GARY WEATHERFORD

Gary Weatherford  
Administrative Law Judge