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



FILED
05-17-13
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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.

A.12-04-019
(Filed April 23, 2012)

**COALITION OF PENINSULA BUSINESSES' OPPOSITION TO MOTION OF
MARINA COAST WATER DISTRICT TO MODIFY PROCEDURAL SCHEDULE**

May 17, 2013

Coalition of Peninsula Businesses
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By

Bob McKenzie

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COALITION OF PENINSULA BUSINESSES' OPPOSITION TO MOTION OF MARINA COAST WATER DISTRICT TO MODIFY PROCEDURAL SCHEDULE

I. INTRODUCTION

Pursuant to Rule 11.1 of the Rules of Practice and Procedure of the California Public Utilities Commission ("Commission"), Coalition of Peninsula Businesses (CPB) opposes Marina Coast Water District's ("MCWD") Motion to Modify Procedural Schedule, dated May 2, 2013 ("Motion to Modify Schedule"). As discussed in more detail below, Coalition of Peninsula Businesses opposes MCWD's Motion to Modify Schedule because it would cause extraordinary delays in the schedule for the Monterey Peninsula Water Supply Project (MPWSP), to the detriment of Peninsula residents and businesses, and because the existing schedule provides ample opportunity to examine environmental issues; a ruling on substantially the same issues raised by Marina Coast Water District (MCWD) in this motion was issued on August 29, 2012, in which the Administrative Law Judge denied an attempt by MCWD to modify the procedural schedule then.

II. DELAYS IN SCHEDULE

MCWD is well aware of the State Water Resources Control Board's (SWRCB) Cease and Desist Order (CDO) deadline of December 31, 2016. Cal Am is probably not going to meet the deadline on the current schedule, but it will come close. A further delay could jeopardize the chance that the SWRCB would soften the deadline.

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III. MERITS OF ENVIRONMENTAL ISSUES

MCWD’s concerns have no merit in light of the fact that environmental issues are properly considered through the Environmental Impact Report (“EIR”) process, which affords ample opportunity for public comment and input.

IV. PRIOR RULING ON SUBSTANTIALLY THE SAME ISSUES

On July 6, 2012, MCWD filed a motion to, inter alia, delay the schedule, for reasons similar to those cited in its May 2, 2013 motion. In his ruling issued August 29, 2012, the ALJ stated in pertinent part (at page 7) delay “is not in the public interest”

V. CONCLUSION

In conclusion, MCWD’s proposal to modify the schedule to allow for additional evidentiary materials and to postpone submission of briefs until after issuance of a final EIR is unnecessary and unreasonable. Coalition of Peninsula businesses respectfully requests that you deny MCWD’s Motion to Modify Schedule.

Dated: May 17, 2013

Respectfully submitted,



By: _____
Bob McKenzie Jr.
Coalition of Peninsula Businesses