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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking on the Commission's Own Motion into Addressing the Commission's Water Action Plan Objective of Setting Rates that Balance Investment, Conservation, and Affordability for the Multi-District Water Utilities of: California-American Water Company (U210W), California Water Service Company (U60W), Del Oro Water Company, Inc. (U61W), Golden State Water Company (U133W), and San Gabriel Valley Water Company (U337W).

Rulemaking 11-11-008
(Filed November 10, 2011)

**ASSIGNED COMMISSIONER'S AMENDED
SCOPING MEMO AND RULING**

1. Summary

This ruling revises the schedule for this proceeding as set forth below and confirms several administrative matters.

2. Background

The scoping memo describes the reasons the Commission initiated this rulemaking, the initial process up to and including the prehearing conference held on May 23, 2012, and the process envisaged going forward, consisting of

workshops followed by issuance and comment on a workshop report.¹ The Commission held two workshops in 2012, on July 17-18 and November 6-7. Based on the parties' discussions and recommendations and with input from the assigned Commissioner's office, Administrative Law Judge (ALJ) Gary Weatherford revised the original schedule to add an opportunity for comments following the second workshop and to set a new date for release of the draft workshop report.² Subsequently, that date was revised further and on July 12, 2013, the draft workshop report was released for public comment. Several parties reasonably requested additional time to file comments and by e-mail ruling on July 30, 2013, Assistant Chief ALJ Richard Smith extended the comment period, as requested, to August 23 (opening comment) and September 13 (reply comment).

3. Confirmation of E-mail Ruling

This amended scoping memo formally acknowledges the July 30, 2013, e-mail ruling by Assistant Chief ALJ Richard Smith to allow additional time for party comments on the draft workshop report and confirms that ruling.

4. Designation of Presiding Officer

On August 7, 2013, ALJ Jean Vieth was co-assigned to this rulemaking with ALJ Weatherford, who previously was designated as the Presiding Officer in this rulemaking. Given the co-assignment, either of them may serve as Presiding Officer.

¹ *Assigned Commissioner's Scoping Memo and Ruling*, June 20, 2012.

² *Administrative Law Judge's Ruling Modifying Schedule and Requesting Comments*, November 14, 2012.

5. Schedule

The reasonable, interim adjustments to the schedule to date necessarily affect the remainder of the schedule, which is revised as set forth below.

EVENT	DATE
Final Workshop Report served	January 30, 2013
Proposed Decision filed and served	1st public meeting in June 2014
Opening Comments on Proposed Decision filed and served	20 days after Proposed Decision served
Reply Comments on Proposed Decision filed and served	5 days after Opening Comments filed
Decision on Commission Agenda	1st public meeting 30 days after Proposed Decision filed

These scheduling revisions mean that a final decision in this rulemaking cannot be reached until 2014, which is more than 18 months from the date of the initial scoping memo (June 20, 2012). Pub. Util. Code § 1701.5 requires the Commission to resolve a quasi-legislative proceeding, such as this rulemaking, within 18 months of the date of the scoping memo, or to extend the statutory timeline. I find that an extension is necessary given the complexity of the matters at issue, the time required for thoughtful consideration of those matters (including the parties’ requests for more time to comment on the draft workshop report, which we have granted), and unanticipated staffing challenges. Therefore, good cause appearing, I will authorize a nine-month incremental extension to the statutory deadline, to September 22, 2014.

The co-assigned ALJs may make any revisions or provide further direction regarding the schedule, as necessary for a full and complete development of the record.

IT IS RULED that:

1. The July 30, 2013, e-mail ruling by Assistant Chief Administrative Law Judge Richard Smith to allow additional time for party comments on the draft workshop is confirmed.
2. Given their co-assignment to this rulemaking, either Administrative Law Judge (ALJ) Vieth or ALJ Weatherford may serve as Presiding Officer.
3. The statutory deadline for resolution of this rulemaking is extended until September 22, 2014, for the reasons discussed herein.
4. The schedule is revised as provided herein.

Dated October 7, 2013, at San Francisco, California.

/s/ CATHERINE J.K. SANDOVAL
Catherine J.K. Sandoval
Assigned Commissioner