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2-22-16
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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)

**ASSIGNED COMMISSIONER'S RULING DIRECTING
CALIFORNIA-AMERICAN WATER COMPANY TO AMEND APPLICATION
WITH NEW PROJECT DESCRIPTION**

Summary

This ruling directs Applicant California American Water Company (Cal-Am) to amend its application to reflect an updated project description. Any comment on the amended application shall be limited to the new aspects of the project description. There is no need for an additional Prehearing Conference (PHC) or Scoping Memo, given that the new application will only change the project description and therefore does not alter the scope of the proceeding.

The amended application shall be filed and served no later than 20 days from the date of this Ruling.

Background

On April 23, 2012, Cal-Am submitted its application to construct a desalination plant to serve its water customers on the Monterey peninsula. The Commission's Energy Division and environmental consultant, Environmental Science Associates, have been conducting the environmental review required of such projects under the California Environmental Quality Act). As part of that

review process, on January 18, 2016, Cal-Am provided Energy Division with an amended project description (attached) reflecting material differences between the project as applied for in April 2012 and the project as it is currently constituted.

Under the Commission's rules, parties are allowed to comment on or protest a new application within 30 days of its publication in the Commission's Daily Calendar. Because this is not a new application, parties that seek to comment on or protest the amended application shall do so no later than 30 days after Cal-Am serves the amendment. Further, the Commission will not consider any comment or protest that raises issues that were or could have been raised in response to the original application. Rather, any comment or protest shall be strictly limited to the new material. Parties need not comment or protest on the amended application at all; their original comments and protests will stand and be considered by the Commission in its ultimate decision on this proceeding.

Finally, there is no need for another PHC, since the amendment will not alter the scope of the proceeding in any way.

Cal-Am shall file and serve the amended project description no later than 20 days from the date of this ruling. Cal-Am need not file or serve any part of the original application that it does not change as a result of this ruling. It shall, however, provide links to the new application in its entirety, showing what has changed in red-lined and clean fashion, in the pleading covering its amended application.

IT IS RULED that within 20 days of the date of this ruling, California American Water Company (Cal-Am) shall file and serve an amended application in this proceeding that provides a project description reflecting its proposed project configuration. Any comment or protest to the amended application shall

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be filed and served no later than 30 days from the date Cal-Am serves the amended application. The comment or protest is not required, and shall not address anything but the amended project description.

Dated February 22, 2016, at San Francisco, California.

/s/ CATHERINE J.K. SANDOVAL

Catherine J.K. Sandoval
Assigned Commissioner