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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
REGARDING WITNESS LISTS AND SCHEDULE
FOR HEARINGS IN APRIL 2016**

Summary

Parties shall file and serve responses within 7 days of the date of this ruling. The responses will include proposed witness lists, subject(s) to be addressed by each witness, proposed order for presenting witnesses, estimated time for cross-examination, and anything else parties recommend for the hearings scheduled in April 2016 to make them as efficient, equitable, fair, and productive as reasonably possible. Parties shall file and serve amended responses by March 25, 2016. Parties shall make all reasonable efforts to present one joint response and one joint amended response.

1. Background

Evidentiary hearings in Application (A.) 12-04-019 and A.15-07-019 were mistakenly planned with overlapping dates in April 2016. In particular, hearings were scheduled in A.12-04-019 for April 14-15, 2016. Hearings were scheduled in A.15-07-019 for April 11-15, 2016.

By ruling dated February 11, 2016, parties were directed to propose revised schedules to eliminate the conflict. Four separate responses were filed. By ruling dated March 2, 2016, the schedules were revised, with hearings in A.12-04-019 set for April 11-12, 2016, and hearings in A.15-07-019 set for May 11-13 (with continuation to May 15, if needed).

Two parties quickly raised questions or concerns. On March 2, 2016, the Marina Coast Water District asked if additional days the week of April 11 will be available to finish the hearings if they are not completed by April 12 and, if so, what days will be available.

Also on March 2, 2016, the Monterey Regional Water Pollution Control Agency (MRWPCA) reported that it was part of the group of parties which had requested the April 14-15 hearing dates remain on calendar. MRWPCA says the revised dates raise several issues, the most significant being that one of its witnesses is unable to appear on April 11-12, and is available only on April 15, 2016. MRWPCA requests that the original dates of April 14-15 be reinstated, or some other accommodation be made.

On March 3, 2016, I notified parties by electronic mail that I intended to issue a ruling by the following week. The ruling would ask parties to provide witness lists and solicit suggestions as to the sequence of subjects for hearings on April 11, 12, and 15, 2016.

2. Discussion

Hearings held by the California Public Utilities Commission (Commission) must be conducted in the most efficient, equitable, fair, and productive manner reasonably possible. Parties can assist the Commission with refinement of the schedule to accomplish these goals and accommodate witness constraints.

In particular, nine parties will present up to 17 witnesses to sponsor proposed testimony served on December 15, 2015 and January 22, 2016. The proposed testimony covers many subjects including project cost updates, demand and supply, brine discharge, return water to the Salinas Valley Groundwater Basin, a water purchase agreement (WPA), and applicant's showing on the WPA. A list of the testimony and sponsoring witnesses is contained in Attachment A.

Parties can help determine the best schedule for these witnesses and the subjects to be covered. To begin the process of focusing the April 2016 hearings, parties should file and serve responses within 7 days of the date of this ruling that include proposed witness lists, subject(s) to be addressed by each witness, a proposed order for presenting witnesses (e.g., either by subject, by party, or other reasonable order), and an estimate of the amount of time each party believes is necessary for cross-examination of other witnesses. The responses should also address anything else parties recommend to make the hearings as efficient, equitable, fair, and productive as reasonably possible. Up to five days the week of April 11 are available for hearings, but fewer days should be used if possible. Parties should make all reasonable efforts to present one joint response

Applicant will file an amended application by March 14, 2016. The amended application is expected to include proposed testimony. Proposed rebuttal testimony is due to be served on March 22, 2016.

To complete the process of focusing the April 2016 hearings, parties should file and serve amended responses by March 25, 2016 that include proposed witness lists, subject(s) to be addressed by each witness, a proposed order for presenting witnesses, estimates of the amount of time needed for cross-examination, and anything else to achieve reasonable goals for the

hearings. Parties should make all reasonable efforts to present one joint amended response.

IT IS RULED that:

1. Parties shall file and serve responses within 7 days of the date of this ruling that include proposed witness lists, subject(s) to be addressed by each witness, a proposed order for presenting witnesses, an estimate of the time needed for cross-examination, and anything else parties recommend to make the hearings to be held the week of April 11, 2016 as efficient, equitable, fair, and productive as reasonably possible. Parties shall make all reasonable efforts to present one joint response.

2. Parties shall file and serve amended responses by March 25, 2016 that include proposed witness lists, subject(s) to be addressed by each witness, a proposed order for presenting witnesses, estimated time for cross-examination, and anything else to attain reasonable goals for the hearings. Parties shall make all reasonable efforts to present one joint amended response.

Dated March 10, 2016, at San Francisco, California.

/s/ GARY WEATHERFORD
Gary Weatherford
Administrative Law Judge

ATTACHMENT A

**APPLICATION 12-04-019 (PHASES 1 AND 2)
SERVED PROPOSED TESTIMONY
FOR HEARING IN APRIL 2016**

Served on December 15, 2015

PARTY	WITNESS
California-American Water Company	Richard C. Svindland
California-American Water Company	Jeffery T. Linam

Served on January 22, 2016

PARTY	WITNESS
California-American Water Company	Richard C. Svindland *
California-American Water Company	Jeffery T. Linam
California-American Water Company	Robert G. MacLean
Monterey Peninsula Regional Water Authority	Al Preston
Monterey Peninsula Regional Water Authority	Jason Burnett
Monterey Regional Water Pollution Control Agency	Paul A. Sciuto
Monterey Regional Water Pollution Control Agency	Alison Imamura
Monterey Regional Water Pollution Control Agency	Robert Holden
Monterey Regional Water Pollution Control Agency	Margaret H. Nellor
Monterey Peninsula Water Management District	David J. Stoldt
Monterey Peninsula Water Management District	Dennis W. Bruce
Marina Coast Water District	Curtis Hopkins
Marina Coast Water District	Thomas P. Moore
Office of Ratepayer Advocates	Suzie Rose
Planning and Conservation League Foundation	Jonas Minton
Monterey County Farm Bureau	Norman C. Groot
Water Plus	Ron Weitzman

* Updated on February 12, 2016

(END OF ATTACHMENT A)