



KJB/eg3 1/10/2018

FILED
01/10/18
04:59 PM

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of AVALON FREIGHT SERVICES, LLC, a limited liability company, for a certificate of public convenience and necessity authorizing service to transport freight by vessel on a scheduled basis between Port of Los Angeles, California on the one hand, and the Santa Catalina Island location of Avalon, on the other hand; and on a nonscheduled charter basis between Port of Los Angeles, California and Avalon, Two Harbors and all points on Santa Catalina Island, and between any points on Santa Catalina Island.

Application 14-10-015

And Related Matter.

Application 15-01-005

**E-MAIL RULING AMENDING PROCEDURAL SCHEDULE
AND GRANTING MOTION TO COMPEL**

Dated January 10, 2018, at San Francisco, California.

/s/ KARL J. BEMESDERFER

Karl J. Bemederfer
Administrative Law Judge

A.14-10-015, A15-01-005 KJB/eg3

From: Bemederfer, Karl J.

Sent: Wednesday, January 10, 2018 9:26 AM

To: 'Fox, Beth'; TMacBride; Cooper, Michelle; AMarshall@CityOfAvalon.com; DFReidy@pacbell.net; ccassidy@cityofavalon.com; DJenkins@CityofAvalon.com; JSampson@CityofAvalon.com; WFOlsen@CityofAvalon.com; RHernandez@CityofAvalon.com; ScottCampbell@CityofAvalon.com; devon@curtinmaritime.com; marley@curtinmaritime.com; Martin@curtinmaritime.com; Steve@PacificTugBoats.com; grant@pacifictugboats.com; LDolqueist@nossaman.com; MSomogyi; SelbyTelecom@gmail.com; hegartylaw@gmail.com; chelsea.clayton@cpuc.ca.gov; AppRhg; Shapson, Mitchell; Jinbachian, Varoujan; Wise, Don; Iljas, Joe; Reiger, J. Jason; Fish, Richard; Simon, Sean A.; Foss, Travis; CSisskind@chp.ca.gov

Cc: Huard, David; McKenna, Lilly; Lugo, Michelle; ALJ Docket Office; ALJ Process

Subject: RE: A.14-10-015/A.15-01-005 - Presiding Officer's EMAIL Ruling Amending Procedural Schedule and Granting Motion to Compel

To the parties:

In response to the correspondence below and the related motions,

IT IS RULED THAT

1. The procedural schedule of this proceeding is amended to provide that opening testimony is due March 26, 2018 and rebuttal testimony is due April 16, 2018.
2. The Motion of Curtin Maritime Corporation to Compel AFS Responses to Data Requests filed September 1, 2017 is granted.

Karl J. Bemederfer
Administrative Law Judge

THE DOCKET OFFICE SHALL FORMALLY FILE A COPY OF THIS RULING

From: Fox, Beth [<mailto:BFox@manatt.com>]

Sent: Tuesday, January 09, 2018 3:05 PM

To: TMacBride; Cooper, Michelle; AMarshall@CityOfAvalon.com; DFReidy@pacbell.net; ccassidy@cityofavalon.com; DJenkins@CityofAvalon.com; JSampson@CityofAvalon.com; WFOlsen@CityofAvalon.com; RHernandez@CityofAvalon.com; ScottCampbell@CityofAvalon.com; devon@curtinmaritime.com; marley@curtinmaritime.com; Martin@curtinmaritime.com; Steve@PacificTugBoats.com; grant@pacifictugboats.com; LDolqueist@nossaman.com; MSomogyi; SelbyTelecom@gmail.com; hegartylaw@gmail.com; chelsea.clayton@cpuc.ca.gov; AppRhg; Shapson, Mitchell; Jinbachian, Varoujan; Wise, Don; Iljas, Joe; Reiger, J. Jason; Bemederfer, Karl J.; Fish, Richard; Simon, Sean A.; Foss, Travis; CSisskind@chp.ca.gov

Cc: Huard, David; McKenna, Lilly; Lugo, Michelle

Subject: RE: A.14-10-015/A.15-01-005 - Procedural Schedule

Your Honor,

Curtin Maritime supports Mr. MacBride's request for a ruling on AFS's pending Motion (although we would ask that the ruling be in accordance with Curtin Maritime's response to that motion).

Curtin Maritime also respectfully requests that Your Honor rule on Curtin Maritime's *Motion to Compel Responses of Avalon Freight Services LLC to Data Requests*, which was filed September 1, 2017. The Motion to Compel seeks an order compelling the production of information that Curtin Maritime needs to prepare its case in this proceeding.

Thank you very much,

Beth Fox

Beth Fox
Partner

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From: TMacBride [<mailto:TMacBride@goodinmacbride.com>]

Sent: Tuesday, January 09, 2018 12:29 PM

To: Cooper, Michelle; AMarshall@CityOfAvalon.com; DFReidy@pacbell.net; ccassidy@cityofavalon.com; DJenkins@CityofAvalon.com; JSampson@CityofAvalon.com; WFOlsen@CityofAvalon.com; RHernandez@CityofAvalon.com; ScottCampbell@CityofAvalon.com; devon@curtinmaritime.com; marley@curtinmaritime.com; Martin@curtinmaritime.com; Steve@PacificTugBoats.com; grant@pacifictugboats.com; LDolqueist@nossaman.com; MSomogyi; SelbyTelecom@gmail.com; hegartylaw@gmail.com; chelsea.clayton@cpuc.ca.gov; AppRhg@cpuc.ca.gov; Mitchell.Shapson@cpuc.ca.gov; vsj@cpuc.ca.gov; daw@cpuc.ca.gov; jzi@cpuc.ca.gov; jzr@cpuc.ca.gov; kjb@cpuc.ca.gov; rff@cpuc.ca.gov; svn@cpuc.ca.gov; tff@cpuc.ca.gov; CSisskind@chp.ca.gov

Cc: Huard, David; Fox, Beth; McKenna, Lilly; Lugo, Michelle

Subject: RE: A.14-10-015/A.15-01-005 - Procedural Schedule

Your Honor:

Avalon Fright Services (AFS) did not seek leave to reply to the substantive portion of CURTIN MARITIME, CORPORATION'S RESPONSE TO MOTION OF AVALON FREIGHT SERVICES, LLC FOR (1) RECONSIDERATION OF SCOPING MEMO AND (2) MODIFICATION OF PROCEDURAL SCHEDULE. Nor does AFS seek such leave herein. AFS believes its arguments have been adequately expressed in its motion.

Moreover, AFS agrees with Curtin Maritime that April 15, 2018 (actually April 16 since April 15 is a Sunday) is an appropriate date for the submission of rebuttal testimony (with corresponding adjustments made to the other dates in the procedural schedule). AFS also appreciates Curtin's conveyance of best wishes for the quick recovery of AFS's witness.

AFS believes, however, that if the rebuttal testimony is not to be filed until April 16, 2018, then the Opening Testimony should not be filed until some date between March 19 and March 26 (three to four weeks earlier). The testimony to which the parties respond on April 16 should reflect the parties' most current exposition of the facts as the hearings approach.

The current procedural schedule (set forth in your Ruling of November 3, 2017) calls for the filing of Opening Testimony on January 17, 2018, one week from tomorrow. Accordingly, AFS respectfully asks for your guidance on the procedural schedule in the near future.

With best wishes and thanks,

Tom MacBride

Thomas J. MacBride

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GOODIN,
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S SOON

From: Cooper, Michelle [<mailto:MCooper@manatt.com>]

Sent: Thursday, December 28, 2017 1:14 PM

To: AMarshall@CityOfAvalon.com; TMacBride; DFReidy@pacbell.net; ccassidy@cityofavalon.com; DJinkins@CityofAvalon.com; JSampson@CityofAvalon.com; WFOlsen@CityofAvalon.com; RHernandez@CityofAvalon.com; ScottCampbell@CityofAvalon.com; devon@curtinmaritime.com; marley@curtinmaritime.com; Martin@curtinmaritime.com; Steve@PacificTugBoats.com; grant@pacifictugboats.com; LDolqueist@nossaman.com; MSomogyi; SelbyTelecom@gmail.com; hegartylaw@gmail.com; chelsea.clayton@cpuc.ca.gov; AppRhg@cpuc.ca.gov; Mitchell.Shapson@cpuc.ca.gov; vsj@cpuc.ca.gov; daw@cpuc.ca.gov; jzi@cpuc.ca.gov; jzr@cpuc.ca.gov; kjb@cpuc.ca.gov; rff@cpuc.ca.gov; svn@cpuc.ca.gov; ttf@cpuc.ca.gov; CSisskind@chp.ca.gov

Cc: Huard, David; Fox, Beth; McKenna, Lilly; Lugo, Michelle

Subject: A.14-10-015/A.15-01-005 - Curtin Maritime's Response to Avalon Freight's Motion for Reconsideration of Ruling Denying Motion for Modification of Scoping Memo

To Parties of A.14-10-015/ A.15-01-005:

Attached in .pdf/ A format is the following document that has been submitted for efilng with the California Public Utilities Commission today on behalf of Curtin Maritime Corporation:

CURTIN MARITIME, CORPORATION'S RESPONSE TO MOTION OF AVALON FREIGHT SERVICES, LLC FOR (1) RECONSIDERATION OF SCOPING MEMO AND (2) MODIFICATION OF PROCEDURAL SCHEDULE

Please let me know if you have any problems opening the attached documents.

-Michelle

Michelle Cooper
Senior Paralegal

Manatt, Phelps & Phillips, LLP

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