

Decision \_\_\_\_\_

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

Noemi Romero dba Marlyn's American Grill,

Complainant,

vs.

Pacific Gas and Electric Company (U39E,)

Defendant.

Case 12-03-024  
(Filed March 26, 2012)**ORDER EXTENDING STATUTORY DEADLINE****Summary**

This decision extends the statutory deadline in this proceeding to September 27, 2013.

**Background**

Public Utilities Code Section 1701.2(d) provides that adjudicatory cases shall be resolved within 12 months of the date that they are initiated unless the Commission makes findings as to why that deadline cannot be met and issues an order extending that deadline. This matter has been categorized as adjudicatory, and the 12-month deadline for resolving this proceeding ends on March 26, 2013.

In this case, Noemi Romero dba Marlyn's American Grill (Complainant) filed a complaint against Pacific Gas and Electric Company (PG&E), alleging that PG&E negligently or recklessly installed a meter such that Complainant was overcharged approximately \$31,000. A Prehearing Conference was held on

July 18, 2012 and on August 30, 2012. At the request of the parties, the proceeding was assigned to Administrative Law Judge (ALJ) Richard W. Clark for mediation under the Commission's Alternate Dispute Resolution process.

By emails dated January 31, 2013 and February 1, 2013, the parties stated that they appear close to resolving the matter and requested that mediation be allowed to continue. This request was granted by ALJ Clark on February 11, 2013. Thus while it appears the parties are working diligently to resolve their differences, it also appears that they will be unable to do so within the statutorily mandated time. An extension of the statutory deadline to September 27, 2013, is reasonable to allow the parties to resolve their dispute, prepare their settlement agreement, and for the Commission to have a final decision in this complaint case.

**Waiver of Comment Period**

Under Rule 14.6(c)(4) of the Commission's Rules of Practice and Procedure, the Commission may reduce or waive the period for public review and comment of proposed decisions extending the deadline for resolving adjudicatory proceedings. Accordingly, pursuant to this rule, the otherwise applicable period for public review and comment is waived.

**Assignment of Proceeding**

Mark J. Ferron is the assigned Commissioner and Darwin E. Farrar is the assigned ALJ and presiding officer in this proceeding.

**Findings of Fact**

1. The 12-month deadline for resolving this complaint case is March 26, 2013.
2. An extension of time until September 27, 2013, should give the parties time to finalize the settlement agreement and for the Commission to have a final decision in this complaint case.

**Conclusions of Law**

1 The deadline for resolving this proceeding should be extended until September 27, 2013.

2 This matter should be effective immediately.

**IT IS ORDERED** that the time for completion of this complaint case is extended until September 27, 2013.

This order is effective today.

Dated \_\_\_\_\_, at San Diego, California.