

Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Acton Town Council,

Complainant,

vs.

Southern California Edison Company
(U-338-E),

Defendant.

Case 12-09-002
(Filed September 5, 2012)

ORDER EXTENDING STATUTORY DEADLINE

Summary

The date for resolution of this complaint case is extended by eight months to May 5, 2014.

Discussion

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 is September 5, 2013.

At the Commission’s urging, the parties to this complaint engaged in early mediation, which proved unsuccessful; the Commission thereafter scheduled and held two telephonic prehearing conferences. Litigation developments (an

amended complaint filed April 24, 2013, and a motion to dismiss, filed June 12, 2013) will require more time to resolve than the current schedule permits and to enable thoughtful and timely consideration of the pleadings now pending and to provide for additional process if necessary, the schedule should be extended.

An extension of the statutory deadline to May 5, 2014, is reasonable to allow the Commission to consider the motion to dismiss, and if it is not granted, to permit the parties to fully prepare for hearing and to file briefs afterward and, to provide the assigned Administrative Law Judge (ALJ) adequate time to prepare and file a Presiding Officer's Decision, so that a final decision of the Commission issues in a timely manner.

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 is being waived.

Assignment of Proceeding

Commission President Michael R. Peevey is the assigned Commissioner and Jean Vieth is the assigned ALJ in this proceeding.

Findings of Fact

1. The 12-month deadline for resolving this complaint case is September 5, 2013.
2. An eight-month extension of time until May 5, 2014, should give the Commission adequate time to consider the motion to dismiss and if it is not granted, should give the parties adequate time to prepare for hearing and file briefs afterward and to provide the assigned ALJ adequate time to complete the

Presiding Officer's Decision, so that a final decision of the Commission issues in a timely manner.

Conclusions of Law

1. The 12-month statutory deadline imposed by Public Utilities Code Section 1701.2(d) should be extended until May 5, 2014.
2. This matter should be effective immediately.

IT IS ORDERED that the 12-month statutory deadline in this proceeding is extended until May 5, 2014.

This order is effective immediately.

Dated _____, at Carmel-by-the-Sea, California.