

Decision \_\_\_\_\_

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

William R. Sarale, Julie Ann Sarale, Julie Ann Sarale as Trustee of the James J. Cavalli Testamentary Trust, and Julie Ann Sarale, as Trustee of the Eva M. Cavalli 2007 Trust,

Complainants,

vs.

Pacific Gas and Electric Company (U39E),

Defendant.

Case 11-06-024  
(Filed June 27, 2011)

**ORDER EXTENDING STATUTORY DEADLINE**

**Summary**

This decision extends the statutory deadline in this proceeding to April 30, 2014.

**Background**

Public Utilities Section 1701.2(d) provides that adjudicatory cases shall be resolved within 12 months of the date that they are initiated unless the California Public Utilities Commission (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 has been extended to April 30, 2014.<sup>1</sup>

On June 27, 2011, William R. Sarale, Julie Ann Sarale, as Trustee of the James J. Cavalli Testamentary Trust, and Julie Ann Sarale, as Trustee of the Eva M. Cavalli 2007 Trust (Complainants), filed a complaint against Pacific Gas and Electric Company (PG&E or Defendant), alleging that PG&E excessively trimmed their walnut trees. PG&E owns, operates, and maintains two sets of 115 Kilovolt transmission lines and associated towers which are located on an easement and right-of-way (granted in 1915) on the Complainant's property.

A Prehearing Conference was held on September 6, 2011. On November 18, 2011, the assigned Commissioner issued a scoping memo and ruling setting the scope of the proceeding, encouraging the parties to benefit from the Alternative Dispute Resolution Program, raising discovery issues, and confirming the preliminary determination as to category and the need for hearing.

Evidentiary Hearings were held on December 21 and 22, 2011. On February 3, 2012, parties filed the last set of briefs. The assigned Administrative Law Judge (ALJ) issued rulings on May 24, 2012 and June 29, 2012 regarding vegetation management on the Sarale's property pending issuance of a decision. On May 10, 2012, the Commission issued an order extending the statutory deadline for completion of the proceeding until November 26, 2012. On November 8, 2012, the statutory deadline for completion of the proceeding was extended to April 30, 2013. On April 18, 2013, the statutory deadline for

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<sup>1</sup> The Scoping ruling and Memo issued on November 18, 2011, set May 30, 2012, as the deadline for resolving this proceeding.

completion of the proceeding was extended to July 31, 2013. On July 26, 2013, the statutory deadline for completion of the proceeding was extended to November 30, 2013. The Presiding Officer's Decision (POD) in this matter was mailed on September 23, 2013. On October 18, 2013 the Complainants' filed an Appeal of the POD. The Defendant filed a response on November 4, 2014. On November 14, 2013 the statutory deadline for completion of the proceeding was extended to January 30, 2014. An additional extension of the statutory deadline is needed to allow adequate time for the Commission to consider the Appeal and Response to the Appeal.

### **Waiver of Comment Period**

This is an uncontested matter in which the decision grants the relief requested. Accordingly, pursuant to Section 311(g)(2) of the Public Utilities Code and Rule 14.6(c)(2) of the Commission's Rules of Practice and Procedure, the otherwise applicable 30-day period for public review and comment is waived.

### **Assignment of Proceeding**

Michel Peter Florio is the assigned Commissioner and W. Anthony Colbert is the assigned ALJ in this proceeding.

### **Findings of Fact**

1. The 12-month deadline for resolving this complaint case has been extended to January 30, 2014.
2. An extension of time until April 30, 2014 is necessary to allow for the Commission to consider the Appeal to the POD and Response to the Appeal.

### **Conclusions of Law**

1. The deadline for resolving this proceeding should be extended until April 30, 2014.
2. This matter should be effective immediately.

Therefore, **IT IS ORDERED** that the time for completion of this complaint case is extended until April 30, 2014.

This order is effective today.

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