

Decision \_\_\_\_\_

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

Ryan and Amanda Atkinson,

Complainants,

vs.

Pacific Gas and Electric Company (U39E),

Defendant.

Case 15-07-004  
(Filed July 1, 2015)

**ORDER EXTENDING STATUTORY DEADLINE**

**Summary**

This decision extends the statutory deadline in this proceeding to January 31, 2017.

**1. Background and Discussion**

Public Utilities Code (Pub. Util. Code) § 1701.2(e) provides that adjudication cases must be resolved within 12 months of initiation unless the Commission makes findings why that deadline cannot be met and issues an order extending that deadline. In this proceeding, the 12-month deadline for resolving this proceeding is June 30, 2016. However, pursuant to Pub. Util. Code § 1701.2(e), Decision (D.) 16-06-030 extended the statutory deadline to September 30, 2016.

Since November 20, 2015, Administrative Law Judge (ALJ) Katherine MacDonald has worked with Complainants Ryan and Amanda Atkinson and Defendant (Pacific Gas and Electric Company) (collectively, the Parties) as the neutral mediator to help the Parties reach a settlement.

The December 30, 2015 Assigned Commissioner's Scoping Memo and Ruling scheduled an evidentiary hearing to take place on January 19, 2016. On January 15, 2016, the Parties filed a joint motion to take the scheduled evidentiary hearings off calendar in anticipation of settlement.

On January 15, 2016, assigned ALJ Kim granted the Joint Motion and required the Parties to submit a joint settlement status statement by February 29, 2016. The February 29, 2016 joint settlement status statement reported that the Parties agreed to continue working to resolve this complaint and would submit another settlement status report on April 29, 2016.

On April 25, 2016, the Parties filed the second joint settlement status update (Update). The Update noted that the Parties have reached a tentative settlement, which requires a design remedy (the Plan) that must be reviewed and approved by Sonoma County before the tentative settlement can be finalized.

On June 9, 2016, D.16-06-030 extended the statutory deadline for the proceeding to September 30, 2016. On August 22, 2016, the Parties filed joint motion to further extend the statutory deadline due to unexpected permitting delays. The Parties pledge their continued good faith commitment to make that settlement a reality but require a few more months to obtain the necessary County approval of the Plan.

Therefore, a four-month extension of the statutory deadline until January 31, 2017, is necessary.

**2. 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, the otherwise applicable period for public review and comment on an extension order issued pursuant to Pub. Util. Code § 1701.5(a) is being waived.

**3. Assignment of Proceeding**

Carla J. Peterman is the assigned Commissioner and Kimberly H. Kim is the assigned ALJ in this proceeding.

**Findings of Fact**

1. The statutory deadline for resolving this adjudication proceeding is June 30, 2016. However, D.16-06-030 extended the statutory deadline to September 30, 2016.

2. The Parties have reached a tentative settlement and have pledged their good faith commitment to make that settlement a reality but require a few more months to obtain the necessary County approval for the Plan.

3. A four-month extension of the statutory deadline is necessary to provide sufficient time for the Parties to secure the necessary approval(s), finalize the settlement agreement and dismiss the complaint.

**Conclusion of Law**

Pursuant to the Commission's authority under Pub. Util. Code § 1701.2(e), the statutory deadline should be extended for a period of four months beyond September 30, 2016.

**IT IS ORDERED** that the statutory deadline in this proceeding is extended until January 31, 2017.

This order is effective today.

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