

Decision 18-05-019 May 10, 2018

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

In the Matter of the Application of PACIFICORP  
(U901E) for Authority to Sell Certain Mining Assets  
in Accordance with Public Utilities Code Section 851.

Application 15-09-007

**ORDER EXTENDING STATUTORY DEADLINE**

**Summary**

This decision extends the statutory deadline in this proceeding to November 30, 2018.

**1. Background**

Based on the filing date of this Application, the version of Pub. Util. Code § 1701.5(a)<sup>1</sup> then in effect, provided that ratesetting cases shall be resolved within 18 months of the date the scoping memo is issued, unless the Commission establishes an alternative timeline in the Scoping Memo or issues an order extending that deadline. On May 31, 2016, the Scoping Memo was issued in this proceeding setting the statutory deadline for November 30, 2017. The Commission, with Decision (D.) 17-11-011, extended the statutory deadline to May 30, 2018.

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<sup>1</sup> This proceeding was filed prior to changes made to Pub. Util. Code § 1701.5(a). These changes only apply to cases filed after December 31, 2016.

A Prehearing Conference was held on February 8, 2016. Parties filed a joint motion for adoption of a settlement agreement on February 6, 2017.

The proposed decision is expected to be issued in August 2018. In order to provide the parties time to comment on the proposed decision and the Commission time to consider and issue a final decision, an extension of time beyond the current statutory deadline of May 30, 2018 is necessary. Therefore, the statutory deadline of this proceeding is extended until November 30, 2018.

## **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 ratesetting proceedings. Accordingly, the otherwise applicable period for public review and comment is being waived.

## **3. Assignment of Proceeding**

Carla J. Peterman is the assigned Commissioner and Katherine MacDonald is the assigned Administrative Law Judge in this proceeding.

### **Findings of Fact**

1. The statutory deadline for resolving this ratesetting proceeding is May 30, 2018.
2. A proposed decision is expected to be issued in August 2018.
3. An extension of the statutory deadline is necessary to provide sufficient time for review and to issue a final decision.

### **Conclusion of Law**

Pursuant to the authority granted to the Commission under Pub. Util. Code § 1701.5(a), the statutory deadline should be extended to November 30, 2018.

**IT IS ORDERED** that:

1. The statutory deadline in this proceeding is extended until November 30, 2018.
2. Application 15-09-007 remains open.

This order is effective today.

Dated May 10, 2018, at Fontana, California.

MICHAEL PICKER

President

CARLA J. PETERMAN

LIANE M. RANDOLPH

MARTHA GUZMAN ACEVES

CLIFFORD RECHTSCHAFFEN

Commissioners