

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



FILED

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In the Matter of Application of Golden Hills Sanitation Co., Inc., A California corporation, for a Certificate of Public Convenience and Necessity to Maintain and Operate an existing Public Utility Wastewater System for the Golden Hills Community Near Tehachapi in Kern County and to Affirm Rates for Service and Issue Stock.

Application No. A0808011
(filed August 19, 2008)

AB LAND DEVELOPMENT, INC.'S REPLY BRIEF

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AB Land will not repeat in detail matters made clear by its opening brief. As demonstrated there, it is beyond question that at this juncture the PUC must consider the full extent of the project for which the Certificate of Public Convenience and Necessity (“CPCN”) is sought, including Applicant’s admitted plans for ultimate expansion, and must also consider the significant changes that have occurred since the limited CEQA review took place decades ago. Applicant provides no support for the idea that the PUC should ignore those changes or that proposed future expanded use, or that Applicant’s deliberate and admitted attempt to “piecemeal” the project should be condoned. The law is clear.

In reply, AB Land asserts that the law laid out in its Opening Brief on the CEQA issue cannot be ignored, and full CEQA review is required before the PUC can grant the Application for the CPCN. AB Land further asserts that if, as Applicant urges, the PUC disagrees and determines that no CEQA review is required despite the piecemealing brought about by the Amended Application and the obvious changed circumstances that have taken place in the last several decades, then any PUC approval or certificate should limit Applicant’s operations to those that currently exist. In other words, Applicant’s “existing” operations are

CERTIFICATE OF SERVICE

I, Lani A. Nonato, certify:

I am employed in the County of Los Angeles, California, am over eighteen years of age and am not a party to the within entitled cause. My business address is Hill, Farrer & Burrill LLP, 300 South Grand Avenue, 37th Floor, Los Angeles, CA 90071.

On October 28, 2009, I caused the following to be served:

AB LAND DEVELOPMENT, INC'S REPLY BRIEF

On the following parties:

SEE ATTACHED SERVICE LIST

I served the document by electronic mail delivery to all parties on the October 28, 2009 service list who have provided the Commission with an electronic mail address and by first class mail on parties.

/s/
Lani A. Nonato

SERVICE LIST
(As of October 28, 2009)
APPLICATION NO. A0808011

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