

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



FILED
04-14-10
04:59 PM

In the Matter of the Application of) Application No. 10-01-012
California-American Water Company)
(U 210 W) for an Order Authorizing)
Collection and Remittance of the)
Monterey Peninsula Water Management)
District User Fee)
_____)

**NOTICE OF EX PARTE COMMUNICATION
OF THE MONTEREY PENINSULA WATER MANAGEMENT DISTRICT**

Pursuant to Article 8 of the California Public Utilities Commission's Rules of Practice and Procedure, the Monterey Peninsula Water Management District ("Water Management District"), hereby provides notice of an *ex parte* communication planned to take place with Commissioner Bohn, Stephen St. Marie, Chief of Staff to Commissioner Bohn and Laura Krannawitter, water advisor to Commissioner Bohn on April 19, 2010, at approximately 10:00 a.m. at the Commission's offices in San Francisco. Participants for the Water Management District shall include Chair Regina Doyle, Vice Chair Bob Brower, General Manager Darby Fuerst and General Counsel David C. Laredo.

The Water Management District initiated the meeting. The Water Management District representatives intend to discuss the District's position opposing the Settlement Agreement presented by California-American Water Company (Cal-Am), Marina Coast Water District (MCWD), Monterey County Water Resources Agency (MCWRA) and others, and its opposition to the Water Purchase Agreement attached to the Settlement Agreement. The Water Management District representatives shall emphasize that the District supports the regional desalination project, but that it shares concerns as stated by the Division of Ratepayer Advocates (DRA) related to terms and details of the Settlement Agreement and the Water Purchase Agreement.

The Water Management District representatives plan to discuss the District's intended comments to be filed with the Commission to explain that the proposed Settlement is flawed and to recommend modifications to both the Settlement Agreement and Water Purchase Agreement. These comments will focus on terms under which the regional desalination project can better ensure reasonable costs, equitable cost allocation, minimal risk, appropriate representation for the communities on the Monterey Peninsula and open and public oversight, including incorporation of requirements set by the Brown Act and Public Records Act.

The Water Management District representatives plan to discuss the District's Amended and Further Response to its earlier Response to the Joint Motion of Cal-Am, MCWD and MCWRA approval of their proposed Reimbursement Agreement in Application No. 09-04-015. The District shall explain reasons for its request to reinstate its objections to that Reimbursement Agreement.

Water Management District representatives shall further state their support for an Order from the CPUC authorizing collection of the Water Management District user fee in accord with Application No. 10-01-012 as submitted by Cal-Am, and in accord with the position of DRA.

No written materials are planned to be discussed during the meeting.

Notice of the ex parte communication shall be concurrently filed in the following proceedings pending before the CPUC: (a) Application No. 04-09-019, (b), Application No. 09-04-015, and (c) Application No. 10-01-012. Copies of each Notice can be obtained by calling or sending e-mail to David C. Laredo at (831) 646-1502 or dave@laredolaw.net

Dated: April 12, 2010

Respectfully submitted,



David C. Laredo
General Counsel

Attorney for the Monterey Peninsula Water
Management District

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1 **PROOF OF SERVICE**

2 I, Lisa Andrew, declare as follows:

3 I am employed in the City of Pacific Grove, County of Monterey, California. I am
4 over the age of eighteen years, and not a party to the within entitled cause. I am an employee of
5 De LAY & LAREDO and my business address is 606 Forest Avenue, Pacific Grove, California
93950. On April 14, 2010, I served the within:

6 **NOTICE OF EX PARTE COMMUNICATION OF THE MONTEREY**
7 **PENINSULA WATER MANAGEMENT DISTRICT**

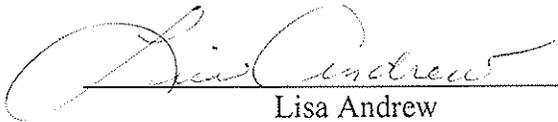
8 on the interested parties in this action addressed as follows:

9 *Please see attached Service List*

10 (BY E-MAIL SERVICE) By transmitting such document electronically from
11 De Lay & Laredo, Pacific Grove, California, to the electronic mail addresses listed above.
12 I am readily familiar with the practice of De Lay & Laredo for transmitting documents by
13 electronic mail, said practice being that in the ordinary course of business, such electronic
14 mail is transmitted immediately after such document has been tendered for filing.

15 I declare that I am employed in the office of a member of the bar of this court at
16 whose direction the service was made.

17 Executed on April 14, 2010, at Pacific Grove, California.

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Lisa Andrew

SERVICE LIST

A1001012

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