



FILED

10-21-10

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of California-American Water Company (U210W) for a Certificate of Public Convenience and Necessity to Construct and Operate its Coastal Water Project to Resolve the Long-Term Water Supply Deficit in its Monterey District and to Recover All Present and Future Costs in Connection Therewith in Rates.

Application 04-09-019
(Filed September 20, 2004;
Amended July 14, 2005)

**ADMINISTRATIVE LAW JUDGE'S RULING
REGARDING COMMENTS ON PROPOSED DECISION AND ALTERNATE
PROPOSED DECISION, AND SCHEDULING ORAL ARGUMENT**

This Ruling provides guidance regarding the comment period for the Proposed Decision (PD) and the Alternate Proposed Decision (APD), issued on October 21, 2010. The PD and the APD address the proposed Settlement Agreement and Water Purchase Agreement filed on April 7, 2010 in Application 04-09-019. The Ruling also schedules an oral argument in front of Commissioner Bohn.

In order to provide for the required 30-day review period before these items appear on a Commission agenda, these matters will be considered at the Commission's business meeting scheduled for December 2, 2010. Rule 14.3 of the Commission's Rules of Practice and Procedure establishes the procedures for commenting on proposed and alternate proposed decisions, consistent with the requirements set forth in Pub. Util. Code §§ 311(d) and (e). Here, the PD and APD are issued on October 21, 2010; pursuant to Rule 14.3 opening comments

would be due on November 10, 2010 and reply comments would be due on November 15, 2010. However, because these matters will not be considered by the full Commission until December 2, it is reasonable to provide parties additional time to comment on the proposed decisions. Comments on the PD and APD shall be filed and served no later than November 17, 2010 and reply comments shall be filed and served by November 22, 2010. Both the PD and the APD are lengthy documents and address many issues; therefore, I will allow the parties 25 pages to comment on the PD, the APD, or both.

I note that the Settling Parties have requested the opportunity to consider any modifications proposed by the Commission. (§ 6.1 of the Settlement Agreement). For the Public Agencies, to the extent this action must be noticed and considered in a public meeting, as required by the Brown Act, I ask that the Public Agencies convene such meetings without delay. No later than November 17, 2010, the Settling Parties shall file and serve a pleading, separate from the comments on the PD and APD, that informs the Commission whether they accept the modifications of either the PD, the APD, or both documents. Parties may file and serve comments on that pleading on November 22, 2010.

In consultation with Commissioner Bohn, as provided for in Rule 8.2(c)(1), we have scheduled oral argument to take place on November 2, 2010 at 10 a.m. in Hearing Room A in the Commission's San Francisco Headquarters,

505 Van Ness Avenue, San Francisco, California.¹

IT IS SO RULED.

Dated October 21, 2010, at San Francisco, California.

/s/ ANGELA K. MINKIN

Angela Minkin
Administrative Law Judge

¹ The oral argument will be noticed as a Commission meeting, consistent with the provisions of Government Code § 11122.5 so that a quorum of the Commissioners may attend.

