

KHY/gd2 5/31/2011



**FILED**

05-31-11  
03:00 PM

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

In the Matter of the Application of Central Valley Telecom, LLC for a Certificate of Public Convenience & Necessity to provide: (i) resold and facilities-based competitive local exchange service throughout the service territories of Pacific Bell Telephone Company, Verizon California, Inc., SureWest Telephone, and Citizens Telecommunications Company of California, Inc. and (ii) resold and facilities-based intrastate interexchange telecommunications services on a statewide basis.

Application 11-04-003  
(Filed April 6, 2011)

**ADMINISTRATIVE LAW JUDGE'S RULING  
LIMITING THE TIME TO FILE PROTESTS TO CENTRAL VALLEY  
TELECOM'S MAY 25, 2011 AMENDMENT**

This ruling limits the time to file protests to the May 25, 2011 Central Valley Telecom, LLC (CVT or Applicant) application amendment to seven days.

CVT filed an application for a certificate of public necessity and convenience on April 6, 2011. The California Public Utilities Commission (Commission) received no protests to this application following a 30-day protest period ending on May 12, 2011. As the assigned Administrative Law Judge, I emailed CVT requesting additional information regarding whether it was seeking limited or full facilities-based authority to provide service. In response,

the Applicant emailed a request to revise its application. On May 25, 2011, Applicant submitted an amendment to its original application.

The original application sought authority to engage in California Environmental Quality Act (CEQA)-exempt construction consistent with Commission Decision 10-12-056. In the amendment, CVT requests to revise its application to seek authority to use an expedited 21-day review process for projects that are potentially exempt from CEQA. Commission Rules of Practice and Procedure (Rules) 1.12 states that an amendment is a document that makes a substantive change to a previously filed document. The change from CEQA exemption to an expedited 21-day review process in the application is a substantive change and thus requires an amendment.

Rule 1.12(b) says that if the “time for filing a protest to the original document has passed, the Administrative Law Judge may limit or prohibit any further reply, response, protest, or answer to the amended document.” Given that the protest period for this application has passed, and no party filed a protest, I am limiting the protest period for the amended document to seven days following the May 25, 2011 filing of the amendment.

**IT IS RULED** that the protest period to respond to the May 25, 2011 amended application of Central Valley Telecom, LLC is limited to seven days.

Dated May 31, 2011, at San Francisco, California.

/s/ MELISSA K. SEMCER for  
Kelly A. Hymes  
Administrative Law Judge