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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking into the Review of the California High Cost Fund-A Program.

Rulemaking 11-11-007
(Filed November 10, 2011)

**ADMINISTRATIVE LAW JUDGE'S RULING GRANTING AN
EXTENSION OF TIME FOR REPLY COMMENTS
TO BE FILED AND SERVED**

With the Order Instituting Rulemaking (OIR) (R.11-11-007), the Commission begins a review of the California High Cost Fund-A (CHCF-A) program. The OIR was issued pursuant to the Commission's Decision (D.) 10-02-016. The Commission has determined that a detailed review of the program is warranted in response to market, regulatory, and technological changes since the California High Cost Fund program was first established in 1987. In this OIR, the Commission seeks comment on how the program can more efficiently and effectively meet its stated goals. To the extent deficiencies are identified, the Commission will solicit constructive proposals on whether the program should continue and if so, how should it be modified.

The OIR was approved on November 10, 2011 and issued on November 18, 2011. The preliminary schedule mandated that the initial comments be filed and served 61 days after issuance (January 18, 2012), and that reply comments are due 91 days after issuance. On January 3, 2012 (via-email), The Utility Reform Network, TURN, a party in the proceeding, requested an

extension of time to file initial comments pursuant to Rule 16.6.¹ In a ruling issued on January 17, 2012 the request for extension was granted. By that ruling the proceeding schedule was revised so that initial comments were to be filed and served by February 1, 2012 and reply comments were to be filed and served by March 2, 2012.

On February 17, 2012 (via-email) the Commission's Division of Ratepayer Advocates (DRA) requested an extension of time to file reply comments. DRA states that the reason for the request is that it has received an extensive data request from the Small Local Exchange Carriers (Small LECs), subsequent to the filing of opening comments, and is unable to provide responses to said data request in time for the Small LECs to review and address the responses in their (the Small LECs) reply comments. The request is supported by the Small LECs and was sent to the entire service list in the instant proceeding.

Pursuant to Rule 16.6, a request for an extension of time to comply with a Commission decision or order may be made by letter or e-mail to the Executive Director with a copy to all parties to the proceeding and the assigned Administrative Law Judge (ALJ). While DRA's e-mail of February 17, 2012, complies with Rule 16.6, it will be treated as a motion to the assigned ALJ. DRA has provided reasonable justifications for its request which is supported by the affected Small LEC's. A two-week extension of time for all parties to file reply comments will be granted and the proceeding schedule for R.11-11-007 will be revised as set forth in the Ruling.

¹ All references to Rules are to the Commission's Rules of Practice and Procedure.

IT IS RULED that:

1. The motion for an extension of time to file reply comments is granted.
2. Reply comments in R.11-11-007 must be filed and served by

March 16, 2012.

Dated February 24, 2012, at San Francisco, California.

/s/ W. ANTHONY COLBERT
W. Anthony Colbert
Administrative Law Judge