



**FILED**

04-07-10

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

In the Matter of the Application of ) Application No. 09-04-015  
California-American Water Company ) (Filed April 16, 2009)  
(U 210 W) for an Order Authorizing )  
the Transfer of Costs Incurred in 2008 )  
for its Long-Term Water Supply Solution )  
for the Monterey District to its Special )  
Request 1 Surcharge Balancing Account. )  
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**WITHDRAWAL OF AMENDED RESPONSE  
OF THE MONTEREY PENINSULA WATER MANAGEMENT DISTRICT  
TO THE JOINT MOTION OF  
CALIFORNIA-AMERICAN WATER COMPANY,  
MARINA COAST WATER DISTRICT AND MONTEREY  
COUNTY WATER RESOURCES AGENCY  
AND REINSTATEMENT OF EARLIER OBJECTIONS  
TO APPROVAL OF THE PROPOSED REIMBURSEMENT AGREEMENT**

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WATER MANAGEMENT DISTRICT**

April 7, 2010

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

In the Matter of the Application of	)	Application No. 09-04-015
California-American Water Company	)	(Filed April 16, 2009)
(U 210 W) for an Order Authorizing	)	
the Transfer of Costs Incurred in 2008	)	
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for the Monterey District to its Special	)	
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**WITHDRAWAL OF AMENDED RESPONSE  
OF THE MONTEREY PENINSULA WATER MANAGEMENT DISTRICT  
TO THE JOINT MOTION OF  
CALIFORNIA-AMERICAN WATER COMPANY,  
MARINA COAST WATER DISTRICT AND MONTEREY  
COUNTY WATER RESOURCES AGENCY  
AND REINSTATEMENT OF EARLIER OBJECTIONS  
TO APPROVAL OF THE PROPOSED REIMBURSEMENT AGREEMENT**

On March 31, 2010, the Monterey Peninsula Water Management District (“MPWMD” or “Water Management District”) filed its Amended and Further Response to its earlier Response to the Joint Motion of California-American Water Company (“Cal-Am” or “CAW”), Marina Coast Water District (“MCWD”), and the Monterey County Water Resources Agency (“MCWRA”) (Collectively, the “Parties”) for an expedited ruling approving the Reimbursement Agreement (“Motion”).

The Amended and Further Response noted that a settlement agreement had been reached between the Parties and the Water Management District with respect to CPUC Application No. 04-09-019. This anticipated settlement provided the basis for the Water

Management District to submit the March 31, 2010 Amended and Further Response in this proceeding.

The anticipated Settlement Agreement among the Parties and the Water Management District with respect to CPUC Application No. 04-09-019, however, shall not be executed<sup>1</sup>. This change in circumstance removes the basis upon which MPWMD submitted the March 31, 2010 Amended and Further Response.

For this reason, Water Management District hereby withdraws and rescinds its March 31, 2010 Amended and Further Response, and asks that its March 5, 2010 Response to the Joint Motion of California-American Water Company, Marina Coast Water District, and the Monterey County Water Resources Agency, and the objections contained within, be reinstated.

Respectfully submitted,



Dated: April 7, 2010

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MANAGEMENT DISTRICT**

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<sup>1</sup> The Water Management District filed its "Notice That Monterey Peninsula Water Management District Shall Not Join In Or Support The Settlement Agreement" in CPUC Application No. 04-09-019 on April 7, 2010. That Notice states MPWMD shall not join the proposed settlement in that proceeding based upon direction provided by its board of directors at a Special Meeting of April 5, 2010. While MPWMD confirmed the District supports the Regional Desalination Project, the board provided direction that it does not support the Settlement Agreement or its attached Water Purchase Agreement (WPA) as presently drafted. The District has questions regarding matters affecting that proceeding, and shares issues as stated by the Division of Ratepayer Advocates (DRA). The Notice clarified that MPWMD is not a settling party in that proceeding.



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