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

Investigation on the Commission's Own Motion into the Operations and Practices of Southern California Edison Company, Cellco Partnership LLP d/b/a Verizon Wireless, Sprint Communications Company LP, NextG Networks of California, Inc. and Pacific Bell Telephone Company d/b/a AT&T California and AT&T Mobility LLC, Regarding the Utility Facilities and the Canyon Fire in Malibu of October 2007.

Investigation 09-01-018  
(Filed January 29, 2009)

**ADMINISTRATIVE LAW JUDGE'S RULING SETTING A NEW DATE FOR THE PREHEARING CONFERENCE, DIRECTING PARTIES TO CONFER WITH ONE ANOTHER, AND REQUIRING PARTIES TO SUBMIT PREHEARING CONFERENCE STATEMENTS**

**New Date and Time for Prehearing Conference**

Pursuant to the unopposed request by several parties, the prehearing conference (PHC) that was previously set for October 7, 2011, at 2:00 p.m., will now be held on October 26, 2011, starting at 10:00 a.m., at the following location: Commission Courtroom, State Office Building, 505 Van Ness Avenue, San Francisco, CA 94102. The main purpose of the PHC is to discuss the scope and schedule for the remainder of this proceeding. An updated scoping memo will be issued following the PHC.

### **Confer Prior to PHC**

In preparation for the PHC, the parties shall confer with each other regarding the following matters:

1. Identification of the major factual and legal issues that the Commission needs to decide in this proceeding;
2. Whether alternative dispute resolution (ADR), as described below, would be helpful in resolving the disputed issues;
3. Whether an evidentiary hearing and/or additional pleadings are needed;
4. If the parties believe a hearing is needed, the estimated number of hearing days, the number and identity of the witnesses that each side plans to call at the hearing, and the timeframe for filing post-hearing briefs; and
5. A proposed schedule for all major events contemplated by the parties, such as ADR, additional pleadings and/or written testimony, evidentiary hearings, and post-hearing briefs.

### **New Date for Written PHC Statements**

Each party shall file and serve a written PHC statement, either individually or jointly with one or more other parties, no later than October 21, 2011, that includes the following:

1. A list and brief description of the major factual and legal issues to be decided by the Commission. To this end, the PHC statement submitted by the Commission's Consumer Protection and Safety Division (CPSD) shall include the following:
  - i. A list and brief description of each alleged violation of a (a) statute, (b) Commission decision, regulation, rule, or tariff, and/or (c) other law; and
  - ii. A list, brief description, and dollar amount (if applicable) of each fine, penalty, and/or remedy proposed by CPSD.

2. Whether the party is amenable to attempting to resolve this case by mediation or other forms of ADR, as described below; and
3. A proposed schedule for this proceeding that addresses the matters identified in Item 5 above.

### **Alternative Dispute Resolution**

The Commission provides ADR without cost to the parties. The Commission's ADR program offers trained Administrative Law Judges (ALJ), other than the ALJ assigned to the proceeding, to serve as facilitators, mediators, and early neutral evaluators to assist the parties in resolving their dispute. For more information about the Commission's ADR program, please visit the Commission's website at [www.cpuc.ca.gov/PUC/adr/](http://www.cpuc.ca.gov/PUC/adr/). Alternatively, the parties may select another ADR provider to assist them at their own expense, so long as the ADR process does not delay the proceeding.

#### **IT IS RULED that:**

1. A prehearing conference is set for October 26, 2011, at 10:00 a.m. The prehearing conference will be held at the Commission Courtroom, State Office Building, 505 Van Ness Avenue, San Francisco, CA 94102. The prehearing conference previously set for October 7, 2011, is canceled.
2. Prior to the prehearing conference, the parties shall confer with each other regarding the matters identified in the body of this ruling.
3. Each party shall file and serve, either individually or jointly with one or more other parties, a prehearing conference statement no later than October 21, 2011, that addresses the matters identified in the body of this ruling.

Dated September 26, 2011, at San Francisco, California.

/s/ TIMOTHY KENNEY

Timothy Kenney  
Administrative Law Judge