



**FILED**

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

Order Instituting Rulemaking on the Commission's Own Motion to Revise the Simplified Registration Process for Non dominant Interexchange Carriers Established by Decision 97-06-107.

Rulemaking 09-07-009  
(Filed July 9, 2009)

**ADMINISTRATIVE LAW JUDGE'S RULING REOPENING  
RULEMAKING 09-07-009 AND CONFIRMING THE GRANTING OF  
AN EXTENSION OF TIME FOR NOVATEL LTD, INC. TO PROVIDE  
ADDITIONAL INFORMATION AND FOR PARTIES TO COMMENT**

**SUMMARY**

This ruling reopens Rulemaking (R.) 09-07-009. This ruling confirms that NovaTel LTD, Inc. (NovaTel) has been granted an extension of time until March 1, 2012, to respond to the November 28, 2011 Administrative Law Judge's ruling, and that parties to R.09-07-009 may file and serve replies not later than March 16, 2012.

**BACKGROUND**

On August 5, 2011, NovaTel filed a petition for modification (Petition) requesting that Decision (D.) 10-09-017 be modified to permit an irrevocable letter of credit to serve as an alternative to posting a performance bond.<sup>1</sup> On

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<sup>1</sup> On September 2, 2011, the Commission's Division of Ratepayer Advocates (DRA) filed a response conditionally opposing the Petition.

November 28, 2011, the Administrative Law Judge (ALJ) issued a ruling that, among other things, directed NovaTel to file and serve additional information (November 28 Ruling).<sup>2</sup> The November 28 Ruling established deadlines of January 9, 2012 for comments and January 23, 2012 for reply comments.

On January 9, 2012, DRA submitted comments in response to the November 28 Ruling. NovaTel did not respond to the November 28 Ruling, and no party submitted reply comments.

On January 12, 2012, the Commission issued D.12-01-003, denying Worldwide Marketing Solutions Petition to Modify D.10-09-017. In addition, D.12-01-003 closed R.09-07-009.

R.09-07-009 should not have been closed because NovaTel's Petition is pending. Therefore, this proceeding is reopened for the purpose of considering NovaTel's Petition.

On January 20, 2012, the Commission received an electronic message that the service of D.12-01-003 in this proceeding was not deliverable to Judith A. Riley, Consultant for NovaTel, at the email address on the R.09-07-009 service list. The ALJ contacted Ms. Riley via telephone on January 23, 2012, and determined that the email address on the service list for Ms. Riley contained a typographical error.

On January 26, 2012, NovaTel requested an extension of time until March 1, 2012, to respond to the November 28 Ruling. NovaTel states that, due

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<sup>2</sup> The November 28 Ruling also permitted parties to R.09-07-009 to file and serve comments and replies.

