



FILED

06-15-12
12:20 PM

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application of the Golden State Water Company (U133W) for an order authorizing it to increase rates for water service by \$58,053,200 or 21.4% in 2013, by \$8,926,200 or 2.7% in 2014; and by \$10,819,600 or 3.2% in 2015.

Application 11-07-017
(Filed July 21, 2011)

**ADMINISTRATIVE LAW JUDGE'S RULING
AMENDING PROCEEDING SCHEDULE**

This ruling amends the schedule for this proceeding established in the November 2, 2011 Scoping Memo and Ruling of Assigned Commissioner and Administrative Law Judge (Scoping Memo), as amended by the April 23, 2012 Administrative Law Judge (ALJ) ruling.

During the evidentiary hearing (EH) on May 4, 2012, I ruled that, pursuant to Ordering Paragraph no. 4 of Decision (D.) 12-04-048, I would require supplemental testimony to address the five Water Revenue Adjustment Mechanism (WRAM) options listed in D.12-04-048.

During the May 8, 2012 EH, the dates of August 23 and 24, 2012, were selected for supplemental EHs to address the WRAM options.¹ In addition, supplemental opening and reply briefs were scheduled to be filed and served on

¹ July 16, 2012 was established as the date for serving supplemental direct testimony and August 16, 2012 is the date for serving supplemental reply testimony.

September 6, 2012, and September 13, 2012, respectively.² On May 8, 2012, we also established June 7, 2012, as the date for the settling parties to file and served their proposed settlement. However, on June 6, 2012, the settling parties were granted an extension of time until June 21, 2012, to file and served the proposed settlement.

In addition, on May 8, 2012, the date of June 22, 2012 was established as the deadline to file motions for interim rates. However, no schedule was established for other post-hearing events. This ruling amends the deadlines for filing motions for interim rates and for requesting oral argument, establishes the schedule for the technical conference to be hosted by the Division of Water and Audits, and removes from the schedule the mandatory status conference.

Although the amended schedule anticipates a decision in this proceeding will be issued by year end, the schedule is very tight and it is possible that a decision may not be adopted in time to implement the provisions of the decision by January 1, 2013. As a result, interim rates may be necessary.

D.07-05-062 requires the applicant or other parties to file a motion for interim rate relief on or before the date set for the filing of opening briefs unless a different date is designated by the Presiding Officer. Because supplemental EHS and supplemental briefs are scheduled in this proceeding, it is reasonable to set the deadline for motions for interim rates as the date when supplemental opening briefs are filed.

Supplemental opening briefs are due on September 6, 2012. Therefore, motions for interim rates must be filed not later than September 6, 2012.

² In addition, September 13, 2012 was established as the deadline for requests for oral argument.

D.07-05-062 requires the Presiding Officer to convene a status conference to evaluate the need for interim rates and the process for implementing such rates. D.07-05-062 designates the status conference as “mandatory”. However, it has not been necessary to hold the status conference in other Class A water utility general rate cases, and it does not appear that one is needed in this proceeding.

If sufficient information is provided in motions for interim rates, a status conference is unnecessary. Therefore, the status conference is removed from the schedule. However, I will consider further amending the schedule to include a status conference if any party requests it or if I determine a status conference is necessary after reviewing any motions for interim rates.

The Scoping Memo set the deadline for requests for oral argument as the date that opening briefs are filed. During the May 8 hearings, I established September 13, 2012, as the deadline for requests for oral argument. This is the same date as the filing of supplemental reply briefs.

The deadline for requests for oral argument should be the same date as the filing of supplemental opening briefs, as anticipated by the Scoping Memo. Therefore, the schedule is amended to require requests for oral argument to be made not later than September 6, 2012. Requests for oral argument may be included in parties’ supplemental opening briefs.

D.07-05-062 requires the Water and Audits Division to host a technical conference following submission of the case to review the ratemaking models utilized by the parties in order to assist the Presiding Officer in the preparation of tables for the proposed decision.³ This technical conference is to be held

³ Section III.G, and Appendix A, Sections IV.Q.

between the filing of reply briefs and the issuance of the proposed decision. Therefore, Golden State is directed to work with the Water and Audits Division and parties to promptly schedule and hold the technical conference after supplemental reply briefs are filed.

The amended schedule is shown below.

Event	Date
Prehearing Conference	September 21, 2011
Application Update Served/Filed	October 31, 2011
Public Participation Hearings (See October 18, 2011 ALJ ruling)	November 28 - December 8, 2011
DRA Testimony Served	February 6, 2012
Intervenor Testimony Served	February 20, 2012
Applicant Rebuttal Testimony Served	April 10, 2012
Mandatory Settlement Conference	April 16, 2012
End Settlement Negotiations	April 24, 2012
Deadline for Applicant to file and serve Case Management Statement and Settlement Conference Report (including cross-examination time estimates, proposed schedule of witnesses, and other information identified in Section 7 of the November 2, 2011 Scoping Memo).	April 30, 2012
Evidentiary Hearings	May 4, 2012; May 8, 2012
Parties Provide ALJ Common Briefing Outline	June 15, 2012
Proposed Settlement Filed/Served	June 21, 2012
Concurrent Opening Briefs Filed/Served	June 22, 2012
Concurrent Reply Briefs Filed/Served	June 29, 2012
Supplemental Direct Testimony Served	July 16, 2012
Supplemental Reply Testimony Served	August 16, 2012
Applicant to provide cross-examination time estimates, proposed schedule of witnesses, and other information identified in Section 7 of the November 2, 2011 Scoping Memo).	August 17, 2012

Supplemental Evidentiary Hearings	August 23 - 24, 2012 at 10:00 a.m. Commission Courtroom State Office Building 505 Van Ness Avenue San Francisco, CA 94102
Parties Provide ALJ Common Supplemental Briefing Outline	August 31, 2012
Concurrent Supplemental Opening Briefs Filed/Served	September 6, 2012
Deadline for Motions Requesting Interim Rates	September 6, 2012
Deadline for Requests for Oral Argument	September 6, 2012
Concurrent Supplemental Reply Briefs Filed/Served	September 13, 2012
Water and Audits Division Technical Conference	To be scheduled by Applicant and held after supplemental reply briefs filed/served
Proposed Decision Issued	November 2012
1st Commission Meeting to Consider Decision	December 2012

IT IS RULED that:

1. The schedule for this proceeding is amended, as set forth in this ruling.
2. The other determinations made in the November 2, 2011 Scoping Memo remain the same.

Dated June 15, 2012, at San Francisco, California.

/s/ RICHARD SMITH

Richard Smith
Administrative Law Judge