

Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

CommPartners, LLC (U6910C),

Complainant,

vs.

AT&T California, Inc. (U1001C)

Defendant.

Case 08-01-007
(Filed January 14, 2008)**ORDER EXTENDING STATUTORY DEADLINE**

Public Utilities Code § 1701.2(d) provides that adjudicatory cases shall be resolved within 12 months of the date that they are initiated unless the Commission makes findings as to why that deadline cannot be met and issues an order extending that deadline. This proceeding has been categorized as adjudicatory, and the 12-month deadline for resolving this matter was January 14, 2009. In Decision 08-11-051, the Commission extended the statutory deadline until April 14, 2009.

The parties sought and received leave to brief the legal questions at issue in this matter. Post-briefing, the parties clarified the record by submitting responses to a number of attendant technical issues that arose in the case. An additional extension is reasonable to accommodate the completion of the presiding officer's decision (POD), and any ensuing appeal or request for review.

Inadvertently, a second extension order was not issued prior to the expiration of the first one.

Waiver of Comment Period

Under Rule 14.6(c)(4) of the Commission's Rules of Practice and Procedure, the Commission may reduce or waive the period for public review and comment of decisions extending the deadline for resolving adjudicatory proceedings. Accordingly, pursuant to Rule 14.6(c)(4), the otherwise applicable period for public review is waived.

Assignment of Proceeding

Timothy Alan Simon is the assigned Commissioner and Jacqueline A. Reed is the assigned Administrative Law Judge in this proceeding.

Findings of Fact

1. This proceeding was initiated on January 14, 2008.
2. Based upon the statutory deadline, this proceeding must be resolved within twelve months of its initiation, unless this date is extended.
3. A second extension of the 12-month deadline is necessary because of the complexity of the issues to be addressed.

Conclusions of Law

1. The twelve-month statutory deadline imposed by Public Utilities Code § 1701.2(d) should be extended an additional 90 days to accommodate the completion and issuance of the POD well as any ensuing appeal or request for review.
2. This order should be effective immediately.

IT IS ORDERED that the 12-month statutory deadline in this proceeding is extended 90 days from the date of issuance of this order.

This order is effective immediately.

Dated _____, at San Francisco, California.