

Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Blue Casa Communications, Inc. (U6764C),

Complainant,

vs.

Pacific Bell Telephone, dba AT&T California
(U1001C),

Defendant.

Case 07-10-015
(Filed October 18, 2007)

ORDER EXTENDING STATUTORY DEADLINE

Public Utilities (Pub. Util.) 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 October 18, 2008.

On August 25, 2008, the Commission issued Decision (D.) 08-08-020 which extended the deadline for resolution of this proceeding until January 16, 2009, to accommodate the completion of the presiding officer’s decision, and any ensuing appeal or request for review. The presiding officer’s decision was filed on October 21, 2008, and an appeal of the decision was filed on November 19, 2008. In order to enable the Commission to address the pending appeal of the

presiding officer's decision and issue its decision, we must extend the schedule again, pursuant to Pub. Util. Code § 1701.2(d).

Therefore, good cause appearing, we will extend the deadline for resolving this proceeding until May 15, 2009.

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 proposed decisions extending the deadline for resolving adjudicatory proceedings. Accordingly, pursuant to this rule, 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 October 18, 2007.
2. Based upon the statutory deadline, this proceeding must be resolved within 12 months of its initiation, unless this date is extended.
3. In accordance with Pub. Util. Code § 1701.2(d), D.08-08-020 extended the statutory deadline of this matter until January 16, 2009.
4. An appeal of the October 21, 2008 presiding officer's decision was filed on November 19, 2008.
5. In order to enable the Commission to address the pending appeal of the presiding officer's decision and issue its decision, we must extend the schedule again.

Conclusions of Law

1. The current deadline for resolution of this proceeding, imposed by Pub. Util. Code § 1701.2(d) should be extended until the Commission issues a decision at a publicly noticed meeting.
2. This matter should be effective immediately.

O R D E R

IT IS ORDERED that the 12-month statutory deadline in this proceeding be extended until May 15, 2009.

This order is effective today.

Dated _____, at San Francisco, California.