

Decision 09-09-037 September 24, 2009

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Joan E. Richardson, Steve Pegram, Carl J. Meir,
Kathleen Thayer, Tracey Raybon, John L. Barnes,
Donald H. Dawson, Patricia O. King, Jerry Amiss,
James H. Pelley, Dorothy Reed, James Vitale, and
others similarly situated,

Complainants,

vs.

Phillip and Linda Shuey, doing business as Shell
Canyon Water Company, an unregulated water
company,

Defendants.

Case 08-03-018
(Filed March 24, 2008)

ORDER EXTENDING STATUTORY DEADLINE

Summary

Pub. Util. Code § 1701.2(d) provides that adjudication cases shall be resolved within 12 months of initiation unless the Commission makes findings why that deadline cannot be met and issues an order extending that deadline. In this proceeding, the 12-month deadline was March 24, 2009.

A final decision in this complaint case is not expected until mid-2010. There have been numerous continuances at the request of the parties to explore the possibility of settlement. Settlement discussions proved fruitless and a hearing is necessary. Decision (D.) 09-01-023 extended the statutory deadline to September 24, 2009. A further extension is necessary. To hold a hearing, review

the record, and prepare a decision will take us into 2010. Because of the foregoing reasons, a further extension order is required.

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 and comment is waived.

Assignment of Proceeding

John A. Bohn is the assigned Commissioner and Robert Barnett is the assigned Administrative Law Judge and presiding officer in this proceeding.

Findings of Fact

1. This adjudicatory proceeding commenced on March 24, 2008.
2. The normal 12-month statutory deadline for resolving this proceeding was March 24, 2009.
3. D.09-01-023 extended the statutory deadline to September 24, 2009.
4. An extension for resolving this proceeding is required because of the need to hold a hearing, review the record, and prepare a decision.

Conclusion of Law

Effective immediately, the statutory deadline imposed by Pub. Util. Code § 1701.2(d) should be extended to June 3, 2010.

IT IS ORDERED that the 12-month statutory deadline in this proceeding is further extended until June 3, 2010.

This order is effective today.

Dated September 24, 2009, at San Francisco, California.

MICHAEL R. PEEVEY
President
DIAN M. GRUENEICH
JOHN A. BOHN
RACHELLE B. CHONG
TIMOTHY ALAN SIMON
Commissioners