Decision 12-01-016 January 12, 2012

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of California Water Service Company (U60W) for an order confirming its discontinuance of the ESP program as provided in D.07-12-055, Ordering Paragraph 19, approving accounting for the residual affiliate transaction, and confirming under D.07-12-055, Ordering Paragraph 16 that Applicant's residual services to its affiliate CWS Utility Services comply with applicable law.	Application 08-05-019 (Filed May 12, 2008)

ORDER EXTENDING STATUTORY DEADLINE

Summary

Public Utilities Code Section 1701.5 provides that ratemaking matters such as this application shall be resolved within 18 months of issuance of the scoping memo for the proceeding, unless the Commission makes findings why that statutory deadline cannot be met and issues an order extending the 18-month deadline.

In this proceeding, the scoping memo issued on October 2, 2009, therefore the 18-month deadline for resolving the proceeding was April 2, 2011. In Decision (D.) 11-01-009, issued January 27, 2011, the Commission found that this proceeding's schedule relied on policy guidance from our affiliate rulemaking proceeding, Rulemaking 09-04-012. On October 20, 2011, the Commission issued D.11-10-034 which modified the affiliate transactions and the provision of non-tariffed products and services for all Class A and B water and sewer utilities.

Following the issuance of D.11-10-034, hearings were held in this proceeding. On October 12, 2011, a joint motion was filed by California Water Service Company and by the Division of Ratepayer Advocates requesting approval of a settlement and a brief in support of the settlement. A proposed decision is being drafted.

On September 22, 2011, the Commission in D.11-09-032 extended the statutory deadline to November 29, 2011, and in D.11-11-016 extended deadline to January 28, 2012. Therefore, a 60-day extension of the statutory deadline until March 28, 2012 is necessary.

Waiver of Comments on Proposed Decision

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 ratesetting proceedings. We waive the period for public review and comment pursuant to this rule.

Assignment of Proceeding

Michel Peter Florio is the assigned Commissioner and Christine M. Walwyn is the assigned Administrative Law Judge in this proceeding.

Finding of Fact

An extension of time until March 28, 2012 is necessary in order to address the joint motion filed by California Water Service Company and by the Division of Ratepayer Advocates requesting approval of a settlement.

Conclusions of Law

1. Pursuant to the authority granted the Commission under Public Utilities Code Section 1701.5(a), the extension of the statutory deadline for this proceeding granted under D.11-09-032 should be extended an additional 60 days.

2. Pursuant to Rule 14.6(c)(4), the comment period for the proposed decision should be waived.

IT IS ORDERED that the extension of the statutory deadline for this proceeding granted under Decision 11-11-016 should be extended to and including March 28, 2012.

This order is effective today.

Dated January 12, 2012, at San Francisco, California.

MICHAEL R. PEEVEY
President
TIMOTHY ALAN SIMON
MICHEL PETER FLORIO
CATHERINE J.K. SANDOVAL
MARK J. FERRON
Commissioners