

Decision 12-01-018 January 12, 2012

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Beryl Adelman,

Complainant,

vs.

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

Defendant.

(ECP)

Case 11-01-013

(Filed January 21, 2011)

ORDER EXTENDING STATUTORY DEADLINE

Public Utilities Code Section 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 matter has been categorized as adjudicatory, and the 12-month deadline for resolving this proceeding is January 21, 2012.

On January 21, 2011, Beryl Adelman filed complaint Case (C.) 11-01-013, seeking to resolve a billing dispute with Pacific Bell Telephone Company dba AT&T California (AT&T).

This matter was assigned to an Administrative Law Judge. Hearing dates were rescheduled to accommodate the parties. Due to workload constraints, the matter was assigned to another Administrative Law Judge.

While this matter is expected to be before the Commission for decision within the statutory time limit for this type of proceeding, any additional time required would exceed that statutory limit.

An extension of the statutory deadline for six months to July 21, 2012, is reasonable to allow for any unexpected delays or other activities.

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, the otherwise applicable period for public review is being waived.

Assignment of Proceeding

Timothy A. Simon is the assigned Commissioner and Edward Moldavsky is the assigned Administrative Law Judge in this proceeding.

Findings of Fact

1. The complaint Case 10-12-018 was initiated on January 21, 2011.
2. Based upon the statutory deadline, this proceeding must be resolved within 12 months of its initiation, unless this date is extended.
3. An extension of the 12-month deadline is necessary to allow the Commission to consider this matter, the consideration of which was delayed by various hearing delays to accommodate the complainant and a necessary reassignment of administrative law judge.

Conclusions of Law

1. The 12-month statutory deadline imposed by Public Utilities Code Section 1701.2(d) should be extended until July 21, 2012.

2. This matter should be effective immediately.

O R D E R

IT IS ORDERED that the 12-month statutory deadline in this proceeding is extended until July 21, 2012.

This order is effective immediately.

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

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