

Decision 08-09-031 September 18, 2008

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Steven Simmons,

Complainant,

vs.

Southern California Edison Company (U338E),

Defendant.

Case 07-10-024
(Filed October 29, 2007)

ORDER EXTENDING STATUTORY DEADLINE

Public Utilities Code Section 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 is October 29, 2008.

A final decision in this complaint case is not expected until early 2009. 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. To hold a hearing, review the record, and prepare a decision will take us into 2009. Because of the foregoing reasons, a six-month 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 draft decisions extending the deadline for resolving adjudicatory proceedings. Accordingly, the otherwise applicable period for public review and comment on an extension order is being waived.

Assignment of Proceeding

Timothy Alan Simon is the assigned Commissioner and Robert Barnett is the assigned Administrative Law Judge in this proceeding.

Findings of Fact

1. This adjudicatory proceeding commenced on October 29, 2007.
2. The normal 12-month statutory deadline for resolving this proceeding is October 29, 2008.
3. 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 Public Utilities Code Section 1701.2(d) should be extended for an additional period of six months.

IT IS ORDERED that the statutory deadline in this proceeding is further extended until April 30, 2009.

This order is effective today.

Dated September 18, 2008, at San Francisco, California.

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