

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF CALIFORNIA**



**FILED**

5-11-16  
04:59 PM

In the Matter of Application of California-  
American Water Company (U210W) for  
Approval of the Monterey Peninsula Water  
Supply Project and Authorization to Recover All  
Present and Future Costs in Rates

A.12-04-019

(Filed April 23, 2012)

**JOINT MOTION REQUESTING EXTENSION OF TIME  
TO SUBMIT SETTLEMENT AGREEMENTS**

Russell M. McGlothlin, Esq.  
Brownstein Hyatt Farber Schreck, LLP  
1020 State Street  
Santa Barbara, CA 93101  
For: Monterey Peninsula Regional Water  
Authority  
[rmcglathlin@bhfs.com](mailto:rmcglathlin@bhfs.com)  
(805) 963-7000

David C. Laredo, Esq.  
Heidi A. Quinn, Esq.  
De Lay & Laredo  
606 Forest Avenue  
Pacific Grove, CA 93950-4221  
For: Monterey Peninsula Water  
Management District (MPWMD) and City of  
Pacific Grove  
[dave@laredolaw.net](mailto:dave@laredolaw.net), [heidi@laredolaw.net](mailto:heidi@laredolaw.net)  
(831) 646-1502

Eric N. Robinson, Esq.  
Kronick Moskowitz Tiedemann & Girard  
400 Capitol Mall, 27<sup>th</sup> Floor  
Sacramento, CA 95814  
For: Salinas Valley Water Coalition (SVWC)  
[erobinson@kmtg.com](mailto:erobinson@kmtg.com)  
(916) 321-4500

Norman C. Groot  
Monterey County Farm Bureau  
P.O. Box 1449  
Salinas, CA 93902  
For: Monterey County Farm Bureau  
[norm@montereycfb.com](mailto:norm@montereycfb.com)  
(831) 751-3167

James W. McTarnaghan, Esq.  
Perkins Coie LLP  
505 Howard Street, Suite 1000  
San Francisco, CA 94105  
For: Monterey Regional Water Pollution  
Control Agency (MRWPCA)  
[jmctarnaghan@perkinscoie.com](mailto:jmctarnaghan@perkinscoie.com)  
(831) 373-8733

Bob McKenzie, Water Issues Consultant  
Coalition of Peninsula Businesses  
P.O. Box 223542  
Carmel, CA 93922  
For: Coalition of Peninsula Businesses  
[jrbobmck@gmail.com](mailto:jrbobmck@gmail.com)  
(831) 595-4204

Gabriel M.B. Ross, Esq.  
Shute, Mihaly & Weinberger LLP  
396 Hayes Street  
San Francisco, CA 94102-4421  
For: Surfrider Foundation  
[ross@smwlaw.com](mailto:ross@smwlaw.com)  
(415) 552-7272

John H. Farrow, Esq.  
M. R. Wolfe & Associates, P.C.  
555 Sutter Street, Suite 405  
San Francisco, CA 94102  
For: LandWatch Monterey County  
[jfarrow@mrwolfeassociates.com](mailto:jfarrow@mrwolfeassociates.com)  
(415) 369-9400

Roger B. Moore, Esq.  
Rossmann and Moore, LLP  
2014 Shattuck Ave.  
Berkeley, CA 94704  
For: Planning and Conservation League  
Foundation  
[rbm@landwater.com](mailto:rbm@landwater.com)  
(510) 548-1401

Dan L. Carroll, Esq.  
Downey Brand, LLP  
621 Capitol Mall, 18<sup>th</sup> Floor  
Sacramento, CA 95814  
For: County of Monterey/Monterey County  
Water Resources Agency  
[dcarroll@downeybrand.com](mailto:dcarroll@downeybrand.com)  
(916) 444-1000

Sarah E. Leeper, Esq.  
California American Water Company  
555 Montgomery Street, Suite 816  
San Francisco, CA 94111  
For: California-American Water  
[sarah.leeper@amwater.com](mailto:sarah.leeper@amwater.com)  
(415) 863-2960

Mark Fogelman, Esq.  
Ruth Stoner Muzzin, Esq.  
Friedman & Springwater LLP  
350 Sansome Street, Suite 210  
San Francisco, CA 94104  
For: Marina Coast Water District  
[mfogelman@friedmanspring.com](mailto:mfogelman@friedmanspring.com)  
[rmuzzin@friedmanspring.com](mailto:rmuzzin@friedmanspring.com)  
(415) 834-3800

Dated: May 11, 2016

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF CALIFORNIA**

In the Matter of Application of California-  
American Water Company (U210W) for  
Approval of the Monterey Peninsula Water  
Supply Project and Authorization to Recover All  
Present and Future Costs in Rates

A.12-04-019

(Filed April 23, 2012)

---

**JOINT MOTION REQUESTING EXTENSION OF TIME  
TO SUBMIT SETTLEMENT AGREEMENTS**

Pursuant to Rule 11.6 of the Commission’s Rules of Practice and Procedure, the parties to this proceeding that are signatories to this motion (“Moving Parties”) respectfully move to extend the date for submittal to the Commission of settlement agreements regarding (1) “return water” from the Monterey Peninsula Water Supply Project’s (“MPWSP”) desalination plant; and (2) the discharge of brine from the MPWSP’s desalination plant into the ocean. Drafts of the two settlement agreements are currently due for submittal to the Commission on May 15, 2016.<sup>1</sup> The Moving Parties respectfully request that the deadline to submit both agreements be extended by 30 days to June 14, 2016.

Many of the Parties have cooperated to draft the two settlement agreements and are now seeking to obtain approval of the respective settlement agreements among the rest of the parties to this proceeding. The parties have held settlement conferences for both draft agreements pursuant to Rule 12.1(b) of the Commission’s Rules of Practice and Procedure and desire additional time to hold one or more additional settlement conferences in an effort to obtain the joinder of additional parties to the settlement agreements and to refine the agreements if

---

<sup>1</sup> Pursuant to Rule 12.1(a) of the Commission’s Rules of Practice and Procedure, parties may, by written motion, move for approval of a settlement agreement within 30 days after the last day of hearing. The last day of hearing was April 15, 2016 and the 30 day period expires on May 15, 2016, which is a Sunday.

necessary. Additional time is also necessary to allow the boards of the public agency parties to meet to consider joinder in the settlement agreements. In the “large” settlement agreement submitted to the Commission on July 31, 2013, several parties reserved their challenges to the MPWSP concerning the return water and brine discharge issues. Settlement on these issues stands to resolve a significant portion of the remaining controversy among the parties concerning the MPWSP. Furthermore, these matters relate to Phase I of the proceedings and therefore will not delay the resolution of Phase 2 issues.

In compliance with Rule of Practice and Procedure Rule 11.6, counsel for the Monterey Peninsula Regional Water Authority has contacted each of the parties or their counsel and each of the Moving Parties has agreed to the proposed extension.

Respectfully submitted,

Dated: May 11, 2016

/s/ Russell M. McGlothlin  
Russell M. McGlothlin  
BROWNSTEIN HYATT FARBER SCHRECK, LLP  
1020 State Street  
Santa Barbara, CA 93101  
Attorneys for Monterey Peninsula Regional Water  
Authority

Dated: May 11, 2016

/s/ David C. Laredo  
David C. Laredo  
DE LAY & LAREDO  
606 Forest Ave.  
Pacific Grove, CA 93950-4221  
Attorneys for Monterey Peninsula Water Management  
District and City of Pacific Grove

Dated: May 11, 2016

/s/ Norman C. Groot  
Norman C. Groot  
Monterey County Farm Bureau  
P.O. Box 1449  
Salinas, CA 93902  
For: Monterey County Farm Bureau

Dated: May 11, 2016

/s/ Eric N. Robinson  
Eric N. Robinson  
KRONICK MOSKOVITZ TIEDEMANN & GIRARD  
400 Capitol Mall, 27<sup>th</sup> Floor  
Sacramento, CA 95814  
Attorneys for Salinas Valley Water Coalition (SVWC)

Dated: May 11, 2016

/s/ Bob McKenzie  
Bob McKenzie, Water Issues Consultant  
Coalition of Peninsula Businesses  
P.O. Box 223542  
Carmel, CA 93922  
For: Coalition of Peninsula Businesses

Dated: May 11, 2016

/s/ James W. McTarnaghan  
James W. McTarnaghan  
PERKINS COIE LLP  
505 Howard Street, Suite 1000  
San Francisco, CA 94105  
Attorneys for Monterey Regional Water Pollution  
Control Agency (MRWPCA)

Dated: May 11, 2016

/s/ Gabriel M.B. Ross  
Gabriel M.B. Ross, Attorney  
SHUTE, MIHALY & WEINBERGER LLP  
396 Hayes Street  
San Francisco, CA 94102-4421  
Attorneys for Surfrider Foundation Company

Dated: May 11, 2016

/s/ Sarah E. Leeper  
Sarah E. Leeper, Attorney  
CALIFORNIA AMERICAN WATER COMPANY  
333 Hayes Street, Suite 202  
San Francisco, CA 94102  
Attorney for California-American Water

Dated: May 11, 2016

/s/ Mark Fogelman  
Mark Fogelman  
FRIEDMAN & SPRINGWATER LLP  
Friedman & Springwater LLP  
350 Sansome Street, Suite 210  
San Francisco, CA 94104  
Attorneys for Marina Coast Water District

Dated: May 11, 2016

/s/ Roger B. Moore  
Roger B. Moore  
ROSSMANN AND MOORE, LLP  
2014 Shattuck Ave.  
Berkeley, CA 94704  
Attorneys for Planning and Conservation  
League Foundation

Dated: May 11, 2016

/s/ Dan L. Carroll  
Dan L. Carroll  
DOWNEY BRAND, LLP  
621 Capitol Mall, 18th Floor  
Sacramento, CA 95814  
Attorneys for County of Monterey and  
Monterey County Water Resources Agency

Dated: May 11, 2016

/s/ John H. Farrow  
John H. Farrow  
M. R. WOLFE & ASSOCIATES, P.C.  
555 Sutter Street, Suite 405  
San Francisco, CA 94102  
Attorneys for LandWatch Monterey County