

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA



FILED

5-01-17
04:59 PM

In the Matter of Application of Sierra Telephone Company, Inc. (U1016C) to Review Intrastate Rates and Charges, Establish a New Intrastate Revenue Requirement and Rate Design, and Modify Selected Rates.

A.16-10-003
(Filed October 3, 2016)

**THE OFFICE OF RATEPAYER ADVOCATES' RESPONSE TO THE
MOTION OF SIERRA TELEPHONE COMPANY TO MODIFY
PROCEDURAL SCHEDULE**

KERRIANN SHEPPARD
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Office of Ratepayer Advocates

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May 1, 2017

CHRISTA SALO
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I. INTRODUCTION

Pursuant to Commission Rules of Practice and Procedure 11.1(e), the Office of Ratepayer Advocates (“ORA”) timely files this opposition to Sierra Telephone Company’s (“Sierra”) Motion to Modify Procedural Schedule (“motion”), filed on April 14, 2017.

ORA is only responding to Sierra’s request to file supplemental rebuttal testimony in this reply because the issues included in Sierra’s motion about extending and expanding the hearing dates have already been determined. Since Sierra’s motion was filed, ORA and Sierra have come to an agreement on additional hearing dates and are both available on the additional hearing dates of June 28, 29, and 30, as set by Administrative Law Judge (“ALJ”) Miles’ Email Ruling on April 26, 2017.¹

For the reasons stated below, Sierra’s motion requesting the opportunity to file supplemental rebuttal testimony should be denied.

II. DISCUSSION

ORA opposes Sierra’s motion because ORA is required to keep the CPUC Confidential Information in Tony Tully and Adam Clark’s testimony² confidential pursuant to Public Utilities Code § 583 and General Order 66-C. Sierra was notified of this redacted testimony when ORA served it on March 20, 2017, well in advance of when Sierra filed its rebuttal testimony on April 10, 2017. In addition, ORA has responded appropriately to Sierra’s discovery requests. Furthermore, Sierra’s Motion to Compel Discovery Responses filed on April 14, 2017, should be denied as ORA explained in its response filed on April 24, 2017.

¹ Attachment 1.

² Office of Ratepayer Advocates Testimony Regarding Sierra Telephone Company, Inc.’s Plant, Depreciation and Results of Operations [Confidential], March 20, 2017 (“Adam Clark’s Testimony”), at p. I-19 and Exhibit A-10 and Office of Ratepayer Advocates Testimony Regarding Expenses [Confidential], March 20, 2017 (“Tony Tully’s Testimony”), at p. III-25, III-33, and III-34.

A. ORA Followed Commission Procedures For Redacting And Serving The CPUC Confidential Testimony.

As required by Public Utilities Code § 583 and General Order 66-C, ORA followed Commission procedures for redacting information marked confidential by the utilities whose information it cites. ORA then followed Commission procedures for serving that testimony, as has similarly been done in many other cases that include CPUC Confidential testimony.

An example of a case where this occurred is *A.14-07-005, Application of California American Water Company and Dunnigan Water Works for Order Authorizing Dunnigan Water Works to Sell and California American Water Company to Purchase Assets of Dunnigan Water Works*. In that case, California American Water Company (“Cal-Am”) was purchasing assets of Dunnigan Water Works (“Dunnigan”). ORA served four versions of supplemental testimony on March 6, 2015.

ORA served three versions of confidential testimony due to confidential designations requested by multiple parties. As shown in the titles of the testimony in the service emails attached to this motion (“Attachment 2”), ORA served: (1) a “Dunnigan and Judge only” version of the testimony to CPUC staff and Dunnigan, (2) a “Cal-Am and Judge only” version of the testimony served to Cal-Am and CPUC staff, and (3) a “Cal-Am, Dunnigan, and Judge only” version served to CPUC staff, Cal-Am, and Dunnigan. The service emails for the Public version of the testimony are provided for comparison in Attachment 3. In that proceeding both Dunnigan and Cal-Am were prevented from viewing confidential information about the other party. This situation is also common in large, general rate cases with multiple intervenors.

B. Sierra Had Notice of The Existence of The CPUC Confidential Information Well Before Its Testimony Was Due.

Sierra requests the ability to provide supplemental testimony; however, it had ample notice that the CPUC Confidential Information existed on March 20, 2017, and should have addressed the issue when it filed its first motion to strike ORA testimony on March 22, 2017, or shortly thereafter. It also had an opportunity to address this issue

when it asked for an extension of its testimony due date, that was extended from April 3, 2017, to April 10, 2017.

Additionally, Sierra's second request to extend its due date for rebuttal testimony to April 17, 2017, was denied by ALJ Miles on April 6, 2017.³

At this point, ORA should not be required to review additional testimony from Sierra on June 1, 2017, simply because Sierra did not act earlier in the proceeding to bring this issue to the Commission's attention. Also, since the current planned order of witnesses has Tony Tully and Adam Clark testifying in late June, there is time before then for the Commission to respond to Sierra's many motions related to this topic. The current timeline allows Sierra to question ORA's witnesses and brief these issues and will not require ORA to have to analyze additional testimony late in the proceeding.

Furthermore, it is not uncommon in general rate cases for issues to continue to develop after rebuttal testimony is served. In those situations, parties are typically restricted to addressing them in cross examination and briefs.

C. Sierra's Motion to Compel Discovery Should Be Denied.

Sierra should not be granted an opportunity to serve supplemental rebuttal testimony because it alleges that ORA obstructed its ability to conduct discovery. Sierra's Motion to Compel Discovery Responses filed on April 14, 2017, is meritless. It should be denied as ORA explained in its response filed on April 24, 2017.

³ Attachment 4.

III. CONCLUSION

For the reasons stated herein, ORA requests that the Commission deny Sierra's motion.

Respectfully submitted,

KERRIANN SHEPPARD
CHRISTA SALO

/s/ CHRISTA SALO
CHRISTA SALO

Attorneys for the
Office of Ratepayer Advocates

California Public Utilities Commission
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May 1, 2017

ATTACHMENT 1

Salo, Christa

From: Miles, Patricia
Sent: Friday, April 21, 2017 12:58 PM
To: Patrick Rosvall
Cc: Priya Brandes; Sheppard, Kerriann; Salo, Christa; Sarah Banola
Subject: Re: A.16-10-003 Sierra Telephone - Additional Hearing Dates

Thank you parties. This is a good plan.

On Apr 21, 2017, at 12:54 PM, Patrick Rosvall <PRosvall@cwclaw.com> wrote:

ALJ Miles:

Following up on our previous correspondence, and reflecting additional "meet and confer" efforts between the parties, we can confirm our previous compromise proposal, with the exception that Mr. Reed (who had some availability issues in May) would be cross-examined during the June 22-23 hearing dates. Putting this all together, we propose the following order for the May 15-17 hearings:

Huber (all issues)
Burton (all issues)
Lehman (just the rate issues; he would come back to talk about the corporate cap and rate case expense)
Odell (all issues)
Gallardo (all issues)

This would allow us to proceed in June with 10 witnesses instead of 14, and would significantly reduce the amount of time that would need to be spent on Dr. Lehman, so it would be more like 9.5 witnesses.

The parties continue to meet and confer about the amount of time needed for each witness, and may have further thoughts to offer next week about the sequencing of the June hearings, but our proposal for the May hearings is as set forth here. Ms. Sheppard authorized me to send this confirmation on behalf of both parties, but I invite her to correct this if there is anything I may have missed.

Thank you again, your honor, for working with us on this. We will await confirmation once you have conferred with the Assigned Commissioner.

Patrick M. Rosvall, Esq.
Cooper, White & Cooper LLP
(direct) 415-765-0369

From: Miles, Patricia [Patricia.Miles@cpuc.ca.gov]
Sent: Thursday, April 20, 2017 5:39 PM
To: Patrick Rosvall
Cc: Priya Brandes; Sheppard, Kerriann; Salo, Christa
Subject: Re: A.16-10-003 Sierra Telephone - Additional Hearing Dates

This sounds like a good plan subject to approval by Commissioner

On Apr 20, 2017, at 4:40 PM, Patrick Rosvall <PRosvall@cwclaw.com> wrote:

ALJ Miles:

We appreciate you continuing the search for alternative hearing dates. We have met and conferred with ORA, and the parties have agreed on a proposed path forward, to be made more concrete tomorrow in an email with more specifics. As background, both parties are available on the alternative dates you mentioned, except that Ms. Odell (ORA's rate design witness) was not. Considering this fact, and also considering the number of witnesses, the parties support the following compromise:

1.

Retain the existing hearing dates (May 15-17) to address rate design, service quality, and safety, but no other subjects. This was needed to address Ms. Odell's availability and provides a reasonable grouping of issues that will avoid fairness concerns from the gap between hearing dates. If only two days is needed for these issues, we could adjourn a day early as to this grouping of issues.

2.

Use the remaining five days (June 22, 23, 28, 29, 30), in the June timeframe, to address the remainder of the issues. Of course, if the whole time isn't needed, the hearings would end early, but the time would be set aside if the hearings do take as long as Sierra believes they will take.

We hope this provides a reasonable path forward. Ms. Sheppard can correct any of this if I have misstated our agreement. Tomorrow, we can provide a concrete list of witnesses that would be involved in the first round of hearings, if this is acceptable to you.

Please let us know if this will work. Again, we appreciate your attention to the scheduling needs in this case. We can follow up tomorrow with more specifics, but we wanted to get back to you right away in case we need to reserve those hearing dates right away.

Thank you,

Patrick

Patrick M. Rosvall, Esq.
Cooper, White & Cooper LLP
(direct) 415-765-0369

From: Miles, Patricia [Patricia.Miles@cpuc.ca.gov]

Sent: Thursday, April 20, 2017 12:15 PM

To: Patrick Rosvall; Priya Brandes; Sheppard, Kerriann; Salo, Christa

Subject: RE: A.16-10-003 Sierra Telephone - Additional Hearing Dates

Parties - I can potentially offer the end of June → the 22, 23 and then June 28, 29-30. Talk with each other (Meet and confer) and try to make this work. Get back to me today (email) please.

Patricia B. Miles
Administrative Law Judge
California Public Utilities Commission

ALJ Division Vision: Just, reasoned, efficient, and innovative resolution of matters in a manner that ensures integrity, due process and transparency, and respects the dignity of all participants.

CALIFORNIA PUBLIC UTILITIES COMMISSION
505 Van Ness Avenue | San Francisco | CA 94102
☎ 415.703.3180 | patricia.miles@cpuc.ca.gov

From: Patrick Rosvall [<mailto:PROsvall@cwclaw.com>]
Sent: Tuesday, April 18, 2017 1:08 PM
To: Miles, Patricia; Priya Brandes; Sheppard, Kerriann; Salo, Christa
Cc: Wong, Lester; Mason, Robert; Malliett, Valerie
Subject: RE: A.16-10-003 Sierra Telephone - Additional Hearing Dates

Your honor:

Unfortunately, we are not available on any of those alternative days. I have a pre-planned vacation as to which I am the sole caretaker of my two-year-old son. Some of our experts, client representatives, and other attorneys also have conflicts. We request that we have a further discussion of the schedule as you suggested to identify potential alternative dates in July or June. I think if we look at the calendar, we will find that there are alternative dates that work, although I cannot be sure of all parties' schedules.

As you will see in our papers from last week, there are ways to potentially bifurcate issues in this case to allow for an orderly treatment of the issues even if there is some gap of time between hearing dates (which we would still likely to avoid). We request that we discuss this also, at the planned status conference for later this week.

We are in the process of assessing availability for June and July, and would like the chance to discuss alternatives with your honor and ORA before a decision is made. But we are definitely unavailable on May 24-26, and we continue to believe that all of the May dates are too soon for the reasons set forth in our motion.

We look forward to further direction from you, but wanted to make sure you were aware of our constraints.

Patrick M. Rosvall, Eq.
Cooper, White & Cooper LLP
(direct) 415-765-0369

From: Miles, Patricia [<mailto:Patricia.Miles@cpuc.ca.gov>]
Sent: Tuesday, April 18, 2017 12:54 PM
To: Patrick Rosvall; Priya Brandes; Sheppard, Kerriann; Salo, Christa
Cc: Wong, Lester; Mason, Robert; Malliett, Valerie

Subject: A.16-10-003 Sierra Telephone - Additional Hearing Dates

Importance: High

Good news Counsel –

The calendar (due to cancellations) permits scheduling additional days of hearing on **May 24, 25 & 26**. This would bring us to six in May if we keep the original three days. The Commissioner considers conclusion of this case by year end to be imperative. Thus, it would not be feasible to wait until August to commence hearing (which is when we next have a block of five or more days).

Weigh in please.

Patricia B. Miles
Administrative Law Judge
California Public Utilities Commission

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505 Van Ness Avenue | San Francisco | CA 94102
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Salo, Christa

From: Miles, Patricia
Sent: Wednesday, April 26, 2017 2:00 PM
To: prosvall@cwclaw.com; Sheppard, Kerriann; DLee@cwclaw.com; RegMgr@stcg.net; PBrandes@cwclaw.com; zebzankel@dwt.com; SBanola@cwclaw.com; Clark, Adam; Johnson, Ana Maria; Reed, Cameron; Ungson, Chris; Salo, Christa; Tse, Danny; Odell, Eileen; Gallardo, Enrique; Van Wambeke, Eric; Robles, Felix V.; Ahlstedt, James; Healy, Joe; Montero, Josefina C.; Roman, Laura; Lakhanpal, Manisha; Miles, Patricia; Hoglund, Patrick E.; Pham, Quang; Kaur, Ravneet; Maniscalco, Richard; Mason, Robert; Tully, Tony
Cc: ALJ Docket Office; ALJ Process; ALJ STAR; Wong, Lester; Randolph, Liane; ALJ Reporting
Subject: A.16-10-003 Sierra Telephone EMAIL RULING re EVIDENTIARY HEARINGS MAY 15-17

TO PARTIES, COUNSEL AND OTHERS ON THE OFFICIAL ADDRESS LIST:

Evidentiary Hearing (EH) is set for May 15, 16 and 17. Counsel for Sierra and the Office of Ratepayers Advocate met and conferred regarding the EH schedule, and have proposed that additional hearing dates be set in June. (I have confirmed June 28, 29 and 30 as additional June hearing dates. I will determine by the end of hearings on May 17 whether more than six days of hearings are necessary.)

The parties propose to address rate design, service quality and safety during the EH dates May 15, 16 and 17, and to address remaining issues during June hearing dates.

EH Protocol

Evidentiary hearings are the time designated for cross-examination of witnesses on their direct testimony. It is **not** a time for counsel to make arguments or speeches or to argue with witnesses. (I give this admonishment in advance, as I have seen counsel for both parties tend to do this during the PHC.) I will **NOT** tolerate argument by or between counsel during the EH, particularly because of the number of witnesses in this proceeding. Counsel will have ample opportunity to make arguments in briefing.

To ensure efficient use of time during the upcoming evidentiary hearings, please read (and adhere to) the following guidelines.

1) Written Testimony

For previously-served direct testimony:

Bring a minimum of two hard copies (one for me and one for the reporter) of any testimony that you will be asking to be received into the record. (Parties should bring their own copies of other parties' previously-served testimony.)

Hard copies of testimony should have space in the upper right corner of the first page for the exhibit numbering stamp. [See Rule 13.7(a)] If the document does not have room on the first page for the stamp, add a cover sheet that identifies the document and has space for the stamp.

2) Exhibits to be used During Cross Examination

If you have additional documents that you intend to use for cross-examination, bring two copies (one for me and one for the reporter) PLUS bring enough hard copies that all parties present can have a copy, plus a copy for whomever is being cross-examined.

Hard copies of cross-examination exhibits should also have space in the upper right corner of the first page for the exhibit numbering stamp. [See Rule 13.7(a)] If the document does not have room on the first page for the stamp, add a cover sheet that identifies the document and has space for the stamp.

If you intend to ask a witness questions concerning complex data or if you will require the witness to do extensive or time-consuming calculations, please provide the exhibits and your questions to counsel for that witness at least 24 hours in advance of the cross-examination. (Exhibits to be used for impeachment purposes do not need to be provided in advance.)

3) Cross-Examination and Hearing Practice

Please provide by email to the service list, no later than close of business May 11, 2017, your estimate of the time that you will require to cross-examine each witness. Also include in that e-mail any known significant scheduling constraints for your witnesses. (Parties may meet and confer to set the order of witnesses.)

Please instruct witnesses that I expect them to answer only the questions asked. I will sustain motions to strike answers that are non-responsive. If the witness believes that additional explanation of an answer is needed, he/she should answer the question asked, then request (of me) permission to elaborate. Alternatively, additional explanation may be provided on redirect examination.

Hearings will start at 10:30 a.m. on Monday, May 15, 2017 (to allow for travel), and at 10:00 am on Tuesday and Wednesday. Lunch will be 12:30 – 1:25. Hearing will resume at 1:30 pm and shall end promptly at 4:00 p.m. each day. (Because it is Commission practice for court reporters to prepare a same day transcript, we must somewhat strictly adhere to this schedule. However, this schedule may be adjusted as appropriate for the comfort and convenience of the court reporters.)

Assigned ALJ

Please note that while Judge Robert Mason will continue to be served (along with others on the Official Address List), his role in this proceeding is advisory in nature. I am the assigned ALJ and will have sole responsibility for preparation of the Proposed Decision.

IT IS SO RULED. The Docket Office shall formally file this ruling.

**Patricia B. Miles
Administrative Law Judge
California Public Utilities Commission**

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CALIFORNIA PUBLIC UTILITIES COMMISSION
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ATTACHMENT 2

Shek, Selina

From: Gray, Terry
Sent: Friday, March 06, 2015 5:11 PM
To: Reynolds, John; JEGuzmanJr@gmail.com; gpdevelopment@earthlink.net; Evans, Kerrie; Lirag, Rafael L.; Charvez, Raymond A.; Shek, Selina
Cc: Shek, Selina; Reynolds, John; Evans, Kerrie
Subject: A.14-07-005 Supplemental Testimony on Application of California American Water Company and Dunnigan Water Works for Order Authorizing Dunnigan Water Works to Sell and California American Water Company to Purchase Assets of Dunnigan Water Works
Attachments: A1407005 ORAs (CONFIDENTIAL) Supplemental Testimony.pdf; A1407005 COS SL (CONFIDENTIAL) SUPPLEMENTAL TESTIMONY.pdf; Dunnigan and Judge only.pdf

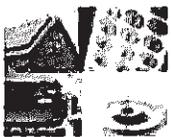
Electronic Format: PDF

Serving Party: ORA

In case of problems with the e-mail or the attached document, contact the following person:

Name: Terry L. Gray
Phone #: (415) 355-5595
Fax #: (415) 703-2262
Email: legal_support@cpuc.ca.gov

Note: To update your e-mail address, please follow the procedure in Rule 1.9(e) of the Commission's Rules of Practice and Procedure.



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Keep up with what's going on at the CPUC –   

Shek, Selina

From: Gray, Terry
Sent: Friday, March 06, 2015 4:46 PM
To: Reynolds, John; JEGuzmanJr@gmail.com; Nicholas.Subias@amwater.com; sarah.leeper@amwater.com; ca.rates@amwater.com; Evans, Kerrie; Lirag, Rafael L.; Charvez, Raymond A.; Shek, Selina
Cc: Shek, Selina; Reynolds, John; Evans, Kerrie
Subject: A.14-07-005 Supplemental Testimony on Application of California American Water Company and Dunnigan Water Works for Order Authorizing Dunnigan Water Works to Sell and California American Water Company to Purchase Assets of Dunnigan Water Works
Attachments: Cal-AM and Judge only.pdf; A1407005 ORAs (CONFIDENTIAL) Supplemental Testimony.pdf; A1407005 COS SL (CONFIDENTIAL) SUPPLEMENTAL TESTIMONY.pdf

Electronic Format: PDF

Serving Party: ORA

In case of problems with the e-mail or the attached document, contact the following person:

Name: Terry L. Gray
Phone #: (415) 355-5595
Fax #: (415) 703-2262
Email: legal_support@cpuc.ca.gov

Note: To update your e-mail address, please follow the procedure in Rule 1.9(e) of the Commission's Rules of Practice and Procedure.



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Keep up with what's going on at the CPUC –   

Shek, Selina

From: Gray, Terry
Sent: Friday, March 06, 2015 5:11 PM
To: Reynolds, John; JEGuzmanJr@gmail.com; gpdevelopment@earthlink.net; Nicholas.Subias@amwater.com; sarah.leeper@amwater.com; ca.rates@amwater.com; Evans, Kerrie; Lirag, Rafael L.; Charvez, Raymond A.; Shek, Selina
Cc: Shek, Selina; Reynolds, John; Evans, Kerrie
Subject: A.14-07-005 Supplemental Testimony on Application of California American Water Company and Dunnigan Water Works for Order Authorizing Dunnigan Water Works to Sell and California American Water Company to Purchase Assets of Dunnigan Water
Attachments: A1407005 ORAs (CONFIDENTIAL) Supplemental Testimony.pdf; A1407005 COS SL (CONFIDENTIAL) SUPPLEMENTAL TESTIMONY.pdf; Cal-Am, Dunnigan and Judge only.pdf

Electronic Format: PDF

Serving Party: ORA/DWA/SED fka CPSD

In case of problems with the e-mail or the attached document, contact the following person:

Name: Terry L. Gray
Phone #: (415) 355-5595
Fax #: (415) 703-2262
Email: legal_support@cpuc.ca.gov

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Keep up with what's going on at the CPUC –   

ATTACHMENT 3

Shek, Selina

From: Gray, Terry
Sent: Friday, March 06, 2015 5:43 PM
To: Reynolds, John; JEGuzmanJr@gmail.com; waterworks@earthlink.net; joeoconnor@earthlink.net; gpdevelopment@earthlink.net; Nicholas.Subias@amwater.com; sarah.leeper@amwater.com; dorisfodge@att.net; ca.rates@amwater.com; Evans, Kerrie; Lirag, Rafael L.; Charvez, Raymond A.; Shek, Selina
Cc: Shek, Selina; Reynolds, John; Evans, Kerrie
Subject: A.14-07-005 (PUBLIC) Supplemental Testimony on Application of California American Water Company and Dunnigan Water Works for Order Authorizing Dunnigan Water Works to Sell and California American Water Company to Purchase Assets of Dunnigan Water Works
Attachments: A1407005 COS SL (PUBLIC) SUPPLEMENTAL TESTIMONY.pdf; A1407005 (PUBLIC) Supplemental Testimony .pdf

There will be an attachment provided on Monday, March 9, 2015, to this Supplemental Testimony.

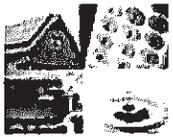
Electronic Format: PDF

Serving Party: ORA

In case of problems with the e-mail or the attached document, contact the following person:

Name: Terry L. Gray
Phone #: (415) 355-5595
Fax #: (415) 703-2262
Email: legal_support@cpuc.ca.gov

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Keep up with what's going on at the CPUC –   

Shek, Selina

From: Gray, Terry
Sent: Monday, March 09, 2015 11:29 AM
To: 'jr5@cpuc.ca.gov'; 'JEGuzmanJr@gmail.com'; 'waterworks@earthlink.net'; 'joeoconnor@earthlink.net'; 'gpdevelopment@earthlink.net'; 'Nicholas.Subias@amwater.com'; 'sarah.leeper@amwater.com'; 'dorisfodge@att.net'; 'ca.rates@amwater.com'; 'kke@cpuc.ca.gov'; 'rl8@cpuc.ca.gov'; 'rac@cpuc.ca.gov'; 'sel@cpuc.ca.gov'
Cc: Shek, Selina; Reynolds, John; Evans, Kerrie
Subject: A.14-07-005 (PUBLIC) Supplemental Testimony on Application of California American Water Company and Dunnigan Water Works for Order Authorizing Dunnigan Water Works to Sell and California American Water Company to Purchase Assets of Dunnigan Water Work
Attachments: PUBLIC - Master Attachments.pdf

Per Friday's email attached please find the PUBLIC Master Attachments in the above-referenced matter.

There will be an attachment provided on Monday, March 9, 2015, to this Supplemental Testimony.

Electronic Format: PDF

Serving Party: ORA

In case of problems with the e-mail or the attached document, contact the following person:

Name: Terry L. Gray
Phone #: (415) 355-5595
Fax #: (415) 703-2262
Email: legal_support@cpuc.ca.gov

Note: To update your e-mail address, please follow the procedure in Rule 1.9(e) of the Commission's Rules of Practice and Procedure.



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Keep up with what's going on at the CPUC –



ATTACHMENT 4



FILED

4-06-17
04:59 PM

PM6/ek4 4/6/2017

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of Sierra Telephone Company, Inc. (U1016C) to Review Intrastate Rates and Charges, Establish a New Intrastate Revenue Requirement and Rate Design and Modify Selected Rates.

Application 16-10-003
(Filed October 3, 2016)

E-MAIL RULING DENYING EXTENSION OF TIME BEYOND APRIL 10

Dated April 6, 2017, at San Francisco, California.

/s/ PATRICIA B. MILES

Patricia B. Miles
Administrative Law Judge

From: Miles, Patricia

Sent: Thursday, April 06, 2017 9:24 AM

To: Sheppard, Kerriann; ALJ Docket Office; ALJ STAR

Cc: Patrick Rosvall; Farrar, Darwin; Darren Lee; RegMgr@stcg.net; Priya Brandes; Clark, Adam; Johnson, Ana Maria; Reed, Cameron; Ungson, Chris; Salo, Christa; Tse, Danny; Odell, Eileen; Gallardo, Enrique; Van Wambeke, Eric; Robles, Felix V.; Ahlstedt, James; Healy, Joe; Roman, Laura; Lakhanpal, Manisha; Hoglund, Patrick E.; Pham, Quang; Kaur, Ravneet; Maniscalco, Richard; Mason, Robert; Tully, Tony; Sarah Banola; Montero, Josefina C.

Subject: A.16-10-003 SIERRA TELEPHONE - Ruling Denying Extension Of Time Beyond April 10

To Parties And Others On The Official Address List:

As mentioned in my away message, I am reviewing email correspondence periodically. (It is not reasonable for counsel for ORA to expect response to her 5:54 pm Wednesday email request within less than 24 hours, and the request does not rise to "emergency status" warranting immediate action by an Assistant Chief ALJ).

In any event, parties are advised that it is not my intention to grant further extension to Sierra. The request for additional time to April 17 is denied. Sierra is directed to respond by April 10 - the extension of time I originally granted.

While no further extension of time is warranted at this time on this discovery request, the request to set additional prehearing conference time will be taken under advisement and parties will be notified (upon my return to the office) if additional PHC is set.

IT IS SO RULED. The Docket Office Shall Formally File this Ruling.

Patricia B. Miles
Administrative Law Judge
California Public Utilities Commission

ALJ Division Vision: Just, reasoned, efficient, and innovative resolution of matters in a manner that ensures integrity, due process and transparency, and respects the dignity of all participants.



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