

Decision \_\_\_\_\_

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

Tom Schweikert,

Complainant,

vs.

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

Defendant.

Case 12-05-011  
(Filed May 8, 2012)

**ORDER EXTENDING STATUTORY DEADLINE**

**Summary**

This decision extends the statutory deadline in this proceeding to November 8, 2013.

**Background**

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 May 8, 2013.

In this case, Tom Schweikert filed a complaint against Pacific Bell Telephone Company, dba AT&T California (PacBell), alleging that PacBell has not applied five monthly payments he has made. On June 22, 2012, a prehearing

conference was held to determine the next steps in this proceeding. Parties elected to try to resolve their dispute through negotiations.

The Administrative Law Judge received notification of a settlement in principle, but the Commission has not received notification of a final settlement. An extension of the statutory deadline to November 8, 2013, is therefore necessary to allow the parties to resolve their dispute, prepare their settlement agreement, and for the Commission to have a final decision in this complaint case.

**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, pursuant to this rule, the otherwise applicable period for public review and comment is waived.

**Assignment of Proceeding**

Mark J. Ferron is the assigned Commissioner and Timothy J. Sullivan is the assigned ALJ and presiding officer in this proceeding.

**Findings of Fact**

1. The 12-month deadline for resolving this complaint case is May 8, 2013.
2. An extension of time until November 8, 2013, is needed to give the parties time to finalize the settlement agreement and for the Commission to have a final decision in this complaint case.

**Conclusions of Law**

1 The deadline for resolving this proceeding should be extended until November 8, 2013.

2 This matter should be effective immediately.

**IT IS ORDERED** that the time for completion of this complaint case is extended until November 8, 2013.

This order is effective today.

Dated \_\_\_\_\_, at San Francisco, California.