

Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Suburban Water Systems (U339W) for Authority to Increase Rates Charged for Water Service by \$19,763,961 or 19.79% in 2024, by \$6,392,906 or 5.49% in 2025, and by \$6,387,993 or 5.20% in 2026.

Application 23-01-001

ORDER EXTENDING STATUTORY DEADLINE**Summary**

This decision extends the statutory deadline for the completion of Application (A.) 23-01-001 to November 3, 2024.

1. Background and Justification

Public Utilities (Pub. Util.) Code Section 1701.5(a) provides that the California Public Utilities Commission (Commission) shall resolve the issues raised in the scoping memo of a ratesetting proceeding within 18 months of the date the proceeding is initiated, unless the Commission makes a written determination that the deadline cannot be met and issues an order extending that deadline. The current deadline for completion of A.23-01-001 is July 3, 2024.

On January 3, 2023, Suburban Water System (Suburban) filed A.23-01-001 seeking authorization from the Commission to increase its rates effective January 1, 2024, by approximately \$19.8 million or 19.79% in 2024; \$6.4 million or 5.49% in 2025; and \$6.4 million or 5.20% in 2025. The Application was filed pursuant to Section 454 of the Pub. Util. Code, Rule 3.2 of the Commission's Rules of Practice

and Procedure (Rule), and the Rate Case Plan for Class A Water Companies adopted by the Commission in Decision 07-05-062.

Commissioner Genevieve Shiroma and Administrative Law Judge (ALJ) Gerald F. Kelly were assigned to A.23-01-001 on February 3, 2023. Pursuant to Rule 2.6, the Public Advocates Office at the Commission (Cal Advocates) filed a protest to Suburban's A.23-01-001 on February 7, 2023.

A prehearing conference was held remotely on May 1, 2023, to address the issues of law and fact, determine the need for hearing, set the schedule for resolving the matter, and address other matters as necessary. An assigned Commissioner's Scoping Memo and Ruling was issued by former Commissioner Genevieve Shiroma on May 25, 2023, to set the issues and schedule of the proceeding.

On April 2, 2024, A.23-01-001 was reassigned from Commissioner Genevieve Shiroma to Commissioner Alice Reynolds.

On the last day of evidentiary hearings, Cal Advocates asserted they were given incorrect data from Suburban on an issue. This resulted in numerous filings and the need for the ALJ to conduct additional days of hearing in 2024. Parties also requested an extended briefing schedule. Reply briefs were not submitted until the end of March 2024.

The deadline established by Pub. Util. Code Section 1701.5 for resolution of this proceeding is currently July 3, 2024. Due to the need to conduct additional hearings, the delay in briefings, resource constraints, and the recent reassignment of the proceeding to a new Commissioner, it will not be possible to complete this proceeding by the previously scheduled deadline. We find that an extension of at least 120 days beyond the current July 3, 2024 deadline, is necessary to afford the Commission adequate time to deliberate and issue its final decision. The

statutory deadline for this proceeding therefore should be extended to November 3, 2024.

2. 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 on the proposed decisions extending the deadline for resolving ratesetting proceedings. Accordingly, the otherwise applicable period for public review and comment is being waived.

3. Assignment of Proceeding

Alice Reynolds is the assigned Commissioner and Gerald F. Kelly is the assigned ALJ in this proceeding.

Findings of Fact

1. This Application was filed on January 3, 2023.
2. The statutory deadline for this proceeding is July 3, 2024.
3. An extension of the statutory deadline, to November 3, 2024, is needed to allow adequate time to complete this proceeding.

Conclusion of Law

Pursuant to the authority granted to the Commission under Pub. Util. Code § 1701.5(a), the statutory deadline in this proceeding should be extended to November 3, 2024.

IT IS ORDERED that the statutory deadline in this proceeding is extended until November 3, 2024.

This order is effective today.

Dated June , 2024, at San Luis Obispo, California.