

Decision 98-12-055 December 17, 1998

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

The Utility Reform Network (TURN) and Utility  
Consumers' Action Network (UCAN),

Complainants,

vs.

SBC Communications Inc., Pacific Telesis Group,  
and Pacific Bell (U-1001-C),

Defendants.

Case 97-09-043  
(Filed September 25, 1997)

**ORDER EXTENDING STATUTORY DEADLINE**

Case (C.) 97-09-043 was filed on September 25, 1997. A prehearing conference (PHC) was held on November 3, 1998. Based on the PHC, we have determined that hearings will be necessary. Therefore, pursuant to Rule 4(b)(2) of our Rules of Practice and Procedure, this proceeding falls under the requirements of Public Utilities (PU) Code Section 1701.2.

PU Code Section 1701.2(d) requires adjudication cases to be resolved within 12 months of initiation unless the Commission makes findings why that deadline cannot be met and issues an order extending it. In this proceeding the 12-month deadline had passed before a determination was made that it applied. It, therefore, could not be met.

The parties have agreed upon a schedule that provides for a Presiding Officer's Decision to be filed on July 2, 1999. Additional time will be necessary to

provide the Commission with time to address any requests for review or appeals of the Presiding Officer's Decision that may be filed.

**Findings of Fact**

1. C.97-09-043 was filed on September 25, 1997.
2. The 12-month statutory deadline for this case was September 25, 1998.
3. A PHC was held on November 3, 1998 which resulted in a determination that hearings are necessary which in turn triggered the 12-month deadline.
4. The Presiding Officer's Decision is due to be filed July 2, 1999.
5. Additional time is necessary in order to address any requests for review or appeals that may be filed.

**Conclusion of Law**

The 12-month statutory deadline imposed by PU Code Section 1701.2(d) should be extended until further ordered.

**O R D E R**

IT IS ORDERED that the 12-month statutory deadline for this proceeding, September 24, 1998, is extended until further ordered.

This order is effective today.

Dated December 17, 1998, at San Francisco, California.

RICHARD A. BILAS  
President  
P. GREGORY CONLON  
JESSIE J. KNIGHT, JR.  
HENRY M. DUQUE  
JOSIAH L. NEEPER  
Commissioners