

Decision 99-02-082 February 18, 1999

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

James W. and Tammy M. McKenney,

Complainants,

vs.

Pacific Gas & Electric Company (PG&E),

Defendant.

Case 98-02-014  
(Filed February 4, 1998)

**ORDER EXTENDING STATUTORY DEADLINE**

Public Utilities (Pub. Util.) Code § 1701.2(d) provides that adjudicatory cases shall be resolved within 12 months of initiation unless the Commission makes findings why that deadline cannot be met and issues an order extending that deadline. In this proceeding, the 12-month deadline for resolving this matter was February 4, 1999, while the Commission was still considering the cross-appeals of the Presiding Officer's Decision. Therefore, an extension of the statutory deadline is needed.

Due to the § 1701.2(d) statutory deadline, there is a need to act on this matter immediately, and this constitutes an unforeseen emergency situation for purposes of Pub. Util. Code § 311(g)(2) (See Rule 81 (g) of the Commission's Rules of Practice and Procedure). Accordingly, pursuant to Pub. Util. Code § 311(g)(2), the otherwise 30-day period for public review and comment is being waived.

**Findings of Fact**

1. This proceeding was initiated on February 4, 1998.

2. Based upon the 12-month statutory deadline, this proceeding must be resolved on or before February 4, 1999, unless this date is extended.

3. An extension of the 12-month statutory deadline is needed to allow the Commission adequate time to consider the cross-appeals of the Presiding Officer's Decision.

**Conclusion of Law**

The 12-month statutory deadline imposed by Pub. Util. Code § 1701.2(d) should be extended until further order.

**O R D E R**

**IT IS ORDERED** that the 12-month statutory deadline in this proceeding, February 4, 1999, is extended until further order.

This order is effective today.

Dated February 18, 1999, at San Francisco, California.

RICHARD A. BILAS  
President  
HENRY M. DUQUE  
JOSIAH L. NEEPER  
Commissioners