

Decision 99-03-006 March 4, 1999

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Gina Guillamun DiResta,

Complainant,

vs.

Esprit del Sol Apartments,

Defendant.

Case 98-03-023
(Filed March 11, 1998)

OPINION EXTENDING STATUTORY DEADLINE

Public Utilities (PU) 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 complaint proceeding, the 12-month deadline for resolving this matter is March 11, 1999.

On December 17, 1998, we opened Investigation (I.) 98-12-012 to examine "the practices, and rates employed by the owners of mobilehome parks and of multiple residential unit complexes and of their billing agents in connection with charging tenants for water or sewer service." (I.98-12-012, Ordering Paragraph 1.) We noted that we have received periodic inquiries about these issues from various persons and entities and that recently, our staff has received several informal complaints. We also noted the interrelationship with this complaint and stated "we shall stay the complaint proceeding, and any similar findings, pending our determinations in this investigation." (I.98-12-012, p. 9.)

The stay requires us to extend the statutory deadline in this complaint at least until a prehearing conference is held in I.98-12-012, in accordance with the schedule we adopted there. (See I.98-12-012, Ordering Paragraph 6, 8, 9.)

Comments on Draft Decision

The draft decision of the Administrative Law Judge Jean Vieth in this matter was mailed to the parties in accordance with PU Code Section 311(g) and Rule 77.1 of the Rules of Practice and Procedure. No comments were received.

Findings of Fact

1. This proceeding was initiated on March 11, 1998.
2. Based upon the 12-month statutory deadline, this proceeding must be resolved on or before March 11, 1999, unless this date is extended.
3. On December 17, 1998, we opened I.98-12-012 into issues related to this complaint proceeding and stayed this complaint.
4. The stay requires us to extend the statutory deadline in this complaint at least until a prehearing conference is held in I.98-12-012, in accordance with the schedule we adopted there.

Conclusion of Law

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

ORDER

IT IS ORDERED that the 12-month statutory deadline in this proceeding, March 11, 1999, is extended until further order.

This order is effective today.

Dated March 4, 1999, at San Francisco, California.

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