

ALJ/JRD/sid *

Mailed 3/18/99

Decision 99-03-035 March 18, 1999

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Leo Ferrick, on behalf of the Laguna Shores
Vacation Plan Owners Association,

Complainants,

vs.

GTE California Incorporated,

Defendant.

Case 98-03-049
(Filed March 20, 1998)

ORDER EXTENDING STATUTORY DEADLINE

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 is March 19, 1999. Because the Administrative Law Judge (ALJ) originally assigned to this matter retired and the matter was later reassigned to a new ALJ, submission of this matter was delayed. The Presiding Officer's Decision in this proceeding was mailed on February 11, 1999.

Rule 8.2 of the Commission's Rules of Practice and Procedure allows for a 30-day review appeal period and a 15-day period to respond to any Appeal. Thus, in this proceeding Requests for Review by the Commissioners and Appeals by the parties must be filed on or before March 15 and responses to any Appeal must be filed on or before March 30, 1999 which is beyond the 12-month deadline.

Therefore, it is necessary to extend the statutory deadline to provide an opportunity for the Commission to consider responses to any Appeals prior to issuance of its decision.

The draft decision of the ALJ extending the statutory deadline was mailed to the parties in accordance with Pub. Util. Code § 311(g) and Rule 77.1 of the Rules of Practice and Procedure. No comments were filed.

Findings of Fact

1. This proceeding was initiated on March 20, 1998.
2. Based upon the 12-month statutory deadline, this proceeding must be resolved on or before March 19, 1999, unless this date is extended.
3. The Presiding Officer's Decision resolving this case was mailed on February 11, 1999.
4. The current schedule allows no time to consider responses to any appeal before the 12-month statutory deadline runs.

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, March 19, 1999, is extended until further order.

This order is effective today.

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

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