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10-22-07
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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of Golden State Water Company (U133W) for an Order pursuant to Public Utilities Code Section 851 approving a Settlement in a Water Rights adjudication, and for an Order pursuant to Section 454 approving the proposed Ratemaking Treatment of the costs of the Adjudication and Settlement.

Application 06-02-026
(Filed February 24, 2006)

ADMINISTRATIVE LAW JUDGE'S RULING DENYING THE MOTION OF GERALD TRIMBLE FOR APPROVAL OF EXHIBITS

On September 19, 2007 Gerald Trimble (Trimble) filed a motion, entitled *Motion of Gerald Trimble, Rate Payer Account #317879-5, Seeking Approval of Exhibits*. The motion seeks "approval" of certain documents and information as exhibits in this proceeding. The motion does not specifically state what it seeks to accomplish through this requested approval. It appears that Trimble seeks either to mark the exhibits for identification in this proceeding so that Trimble can later move for admission of the exhibits into the record or Trimble seeks to move these documents and information into the record now. Trimble states that, with these documents and information, the Commission may be able to expedite the processing of this matter.

In response, Golden State Water Company (Golden State) expressed its opposition to including such documents and information in the record on the basis that Trimble's request is premature. According to Golden State, until a scoping memo is issued in this proceeding, the scope is undefined. As a result,

no determination can be made on the relevancy of the documents and information.

To date, no scoping memo has been issued in Phase II of this proceeding and, consistent with Decision (D.) 07-05-041, the Commission continues to wait for developments in the pending civil court litigation regarding the Santa Maria groundwater basin. No significant changes have occurred and, per D.07-05-041, the deadline for completing this ratesetting case expires on February 25, 2008. Prior to that date, I intend to issue a ruling recommending the Commission dismiss this case unless the parties provide sufficient justification for a further extension under Section 1701.5. Furthermore, until any further developments occur in this case, I do not foresee the issuance of a scoping memo and I do not intend to convene a prehearing conference. As a result, the issues framed by Phase II of this proceeding will remain loosely defined by D.07-05-041.

Thus, until it is clear that this case will not be dismissed and until the issuance of a scoping memo which defines with greater certainty the issues presented to the Commission here, it is impossible to determine whether the documents and information are needed or even remotely relevant. Accordingly, I will not accept further documents or information for identification as exhibits in this proceeding at this time.

I will not address the issue of whether to directly admit the information and documents into the record because I find that it is premature to even identify additional documents and information as exhibits in this proceeding.

IT IS RULED that:

1. Until it is clear that this proceeding will not be dismissed on or after February 25, 2008 and a scoping memo is issued in this proceeding, no

documentary evidence will be marked for identification as exhibits in this proceeding.

2. Gerald Trimble's September 19, 2007 motion, entitled *Motion of Gerald Trimble, Rate Payer Account #317879-5, Seeking Approval of Exhibits* is denied.

3. This ruling makes no determination on the relevancy of the documents and information provided by Gerald Trimble and this ruling does not prevent these documents and information from being incorporated into the record through motion at a later date if appropriate.

Dated October 22, 2007, at San Francisco, California.

/s/ REGINA DeANGELIS

Regina DeAngelis
Administrative Law Judge

INFORMATION REGARDING SERVICE

I have provided notification of filing to the electronic mail addresses on the attached service list.

Upon confirmation of this document's acceptance for filing, I will cause a Notice of Availability of the filed document to be served upon the service list to this proceeding by U.S. mail. The service list I will use to serve the Notice of Availability of the filed document is current as of today's date.

Dated October 22, 2007, at San Francisco, California.

/s/ ELIZABETH LEWIS

Elizabeth Lewis