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**RATEPAYERS APPEAL OF THE  
DECISION BY BEAR CREEK SPECIAL  
UTILITY DISTRICT TO CHANGE  
RATES**

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**BEFORE THE STATE OFFICE**

**PUBLIC UTILITY COMMISSION  
FILING CLERK**

**ADMINISTRATIVE HEARINGS**

**JOINT STATUS REPORT AND REQUEST FOR EXTENSION**

TO THE HONORABLE ADMINISTRATIVE LAW JUDGE:

COMES NOW, Bear Creek Special Utility District (the “District”) and files this Joint Status Report on behalf of itself, the staff of the Public Utility Commission (“Staff”) and Deborah G. Fato and Michaelangelo Dillon, the representatives of the ratepayers of the District having brought this appeal (“Ratepayers”). District, Staff and Ratepayers are collectively referred to herein as “Parties.”

On August 14, 2019, a preliminary hearing was held in this proceeding, during which the Parties expressed interest in mediation. On August 15, 2019, SOAH Order No. 3 was issued, pursuant to which the dispute was referred to mediation and the procedural scheduled that was adopted per SOAH Order No. 2 was suspended.<sup>1</sup> The Parties filed a Joint Status Report and Request for Extension on October 28, 2019, requesting the abatement of the proceeding be extended an additional 90 days. Pursuant to SOAH Order No. 4, issued on November 4, 2019, the Parties’ extension was granted and the Parties were ordered to file “a motion to dismiss this proceeding; a status report regarding the status of the resolution; or an agreed proposed procedural schedule” by “no later than January 30, 20[20].”<sup>2</sup> Therefore, this Joint Status Report and Request for Extension is timely filed.

The District continues to work with Ratepayers’ representatives, Deborah G. Fato and Michaelangelo Dillon, on settlement of this proceeding, and requests an additional 90 days to carry on efforts to resolve this matter. Ninety days from the filing of this pleading is April 29, 2020.


<sup>1</sup> See SOAH Order No. 3 – Memorializing Preliminary Hearing, Referral to Mediation, and Requiring Status Report (Aug. 15, 2019); SOAH Order No. 2 – Setting Preliminary Hearing and Adopting Procedural Schedule (July 29, 2019).

<sup>2</sup> See SOAH Order No. 4 – Granting Extension (November 4, 2019).

Legal counsel for the District has conferred with counsel for Staff and with Ratepayers' representatives regarding the contents of this Joint Status Report and Request for Extension, and the Parties agree with the contents hereof. Additionally, Ratepayers' representatives agree with the requested 90-day continuance, and Staff does not oppose it.

WHEREFORE, Bear Creek Special Utility District, jointly with Staff and Ratepayers' representatives, Ms. Fato and Mr. Dillon, moves to extend the present abatement of litigation for an additional 90 days to allow the Parties to continue settlement efforts.

Respectfully submitted,


By:   
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John J. Carlton

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ATTORNEY FOR BEAR CREEK SPECIAL  
UTILITY DISTRICT

### **CERTIFICATE OF SERVICE**

I hereby certify that I have served or will serve a true and correct copy of the foregoing document via hand delivery, facsimile, electronic mail, overnight mail, U.S. mail and/or Certified Mail Return Receipt Requested to all parties on this the 30<sup>th</sup> day of January 2020.

  
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John Carlton