



# State Water Resources Control Board



**Linda S. Adams**  
Secretary for  
Environmental Protection

**Executive Office**  
**Charles R. Hoppin, Chairman**  
1001 I Street • Sacramento, California • 95814 • 916.341.5615  
P.O. Box 100 • Sacramento, California • 95812-0100  
Fax 916.341.5621 • www.waterboards.ca.gov

**Arnold Schwarzenegger**  
Governor

AUG 27 2009

To: Attached List of Participants

IN THE MATTER OF THE DRAFT CEASE AND DESIST ORDER WR 2009-00XX-DWR  
AGAINST CALIFORNIA AMERICAN WATER COMPANY

On August 24, 2009, the California American Water Company (Cal-Am) requested that I set and conduct a settlement conference between Cal-Am and the Prosecution Team (PT) prior to the September 2, 2009 State Water Resources Control Board (State Water Board or Board) workshop to consider the draft cease and desist order. Cal-Am's request, following the close of the evidentiary record and the release of a draft cease and desist order, is untimely and is hereby denied.

In addition, due to the large number of people that have filed written statements concerning the draft cease and desist order, I anticipate that the September 2, 2009 public workshop to receive comments on the draft order will require a substantial amount of time. Accordingly, the time allowed to address the members of the State Water Board regarding the draft will be limited as follows:

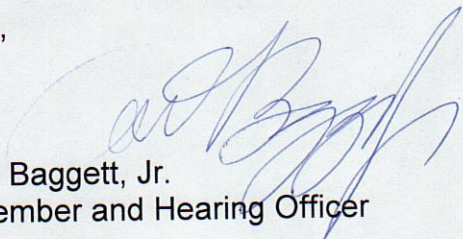
- 20 minutes: Cal-Am and the PT shall have 20 minutes each. Cal-Am shall address its concerns about the draft order first. Any other matters that may be pending, such as the Sierra Club's request for an emergency cease and desist order, must also be addressed in the 20 minute allotment. Having the burden of proof in this proceeding, the PT shall address its comments to the State Water Board at the close of all other comments by the participants of the hearing.
- 5 minutes: With the exceptions of Cal-Am and the PT, all other persons recognized as participants (in the draft order) in this proceeding shall have 5 minutes to address the members of the State Water Board concerning the draft order.
- 3 minutes: All other persons wishing to address the Board concerning the draft order shall be limited to 3 minutes.

Arguments: (1) for the need for additional time, (2) that some issues should be heard and resolved before proceeding to the hearing on the draft order, or (3) that the participants should address the Board in a particular order will be deducted from the time allotted to each participant.

*California Environmental Protection Agency*

Should you have further questions regarding this matter, please contact Paul Murphey, Division of Water Rights Hearing Unit at (916) 341-5435 or [PMurphey@waterboards.ca.gov](mailto:PMurphey@waterboards.ca.gov), or Buck Taylor at [BGTaylor@waterboards.ca.gov](mailto:BGTaylor@waterboards.ca.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read 'Arthur G. Baggett, Jr.', is written over the typed name and title.

Arthur G. Baggett, Jr.  
Board Member and Hearing Officer

Attachment