



April 7, 2008  
4586 Cameo Place  
Santa Maria, CA 93456

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President Michael R. Peevey  
California Public Utilities Commission  
505 Van Ness Avenue  
San Francisco, CA, 94102

Commissioner John Bohn  
California Public Utilities Commission  
505 Van Ness Avenue  
San Francisco, CA, 94102

Commissioner Dian Grueneich  
California Public Utilities Commission  
505 Van Ness Avenue  
San Francisco, CA, 94102

Commissioner Rachelle Chong  
California Public Utilities Commission  
505 Van Ness Avenue, Room 5205  
San Francisco, CA, 94102

Commissioner Timothy Simon  
California Public Utilities Commission  
505 Van Ness Avenue, Room 5213  
San Francisco, CA, 94102

ALJ Regina DeAngelis  
California Public Utilities Commission  
Division of Administrative Law Judges  
505 Van Ness Avenue, Room 5022  
San Francisco, CA, 94102

**Re: Application 06-02-026 by Golden State Water Company (GSWC),  
regarding proceeding subject complexity and access to filings**

Dear President Peevey, Commissioners Bohn, Grueneich, Chong, Simon and  
ALJ DeAngelis:

The Stipulation, which is at issue in Phase II of this proceeding, is a contract **which** plays on words like "Twitchell Yield" with a meaning of groundwater but interpreted by the court as reservoir water, **which** claims to allocate "groundwater" rather than groundwater "right", per Water Code § 102, **which** claims to adhere to water at common law yet ignores the "no surplus" to overlying landowners crisis, **which** defines an aberrant groundwater crisis condition that states it cannot be declared during a drought and severs GSWC's right to native groundwater, **which** forfeits the court awarded prescriptive right, **which** claims the execution of the allocation of huge amounts of groundwater without declaring the party responsible or authority for such, **which** burdens rate payers with discriminatory charges, **which** imposes conflict of interest in basin management, **which** places veto power and virtual control in the hands of a

District who makes no contribution to management costs, **which** places the District Consultant in the position of management engineer at the majority expense of rate payers, **which** disregards Commission Decision 93-03-066 of 3/24/93 concerning State Water, and **which** includes a GSWC safety parachute of being *void and invalid* in case rate payers do not pick up the tab.

The trivial problems can be observed in a copy of the Stipulation and the serious ones are laid bare in the Dismiss Motion and Comments.

The point is, that Proceeding 06-02-026 is complex, not only in subject, but in the large number of exhibits required to provide evidence to support the facts to expose the fallacies of this Stipulation. The Dismiss Motion of October 23, 2007, which exposes most of these problems, includes a 56 page primary document and 183 pages of exhibits, a large document.

From discussions with some of the parties in this proceeding it is clear that the complexity has more than taken its toll. To allow complexity and the depth of the paperwork to dominate this proceeding is to fail any attempt at justice.

One intention of this note is to point to a more accessible means of navigating between principal documents and exhibits. All filings of Trimble were posted on the World Wide Web for service to parties in accordance with Rule 1.9 (c) (3) of the PUC Rules of Practice and Procedure and are likewise available for decision makers. Reliability of this website is high, and remains locked after tendering.

Many exhibits in this proceeding are copies of superior court e-filed documents, and include cover page links to the originals on the court's website, for verification if necessary. Likewise source links are provided for other exhibits, such as those of the Santa Barbara County Water Agency (SBCWA) or the State Water Resources Control Board (SWRCB).

The Ex Parte letter submitted to the Commissioners and ALJ dated April 2, 2008 included direct links to prior proceeding filings including the Stipulation, the Dismiss Motion and the Comments which point to all exhibits. In printed form such links are of no value. The following is an index of Trimble's relevant filed documents intended to assist in the proceeding review by all persons.

## **Summary of Relevant Filed Documents**

1. This Ex Parte document is at the following link (case is important):

<http://personal.linkline.com/trimble/Dismiss/ExParte2.pdf>

2. The Ex Parte letter of April 2, 2008 link follows:

<http://personal.linkline.com/trimble/Dismiss/LetterToCommission.pdf>

Among other things this letter expands on the Dismiss motion by upgrading from “unjust” to “discriminatory” the rate surcharge distribution of the Stipulation.

3. The Dismiss Motion link follows:

<http://personal.linkline.com/trimble/Dismiss/Dismiss.pdf>

This is essentially the “bible” of the major problems with the Stipulation. It is a compilation of facts, supporting evidence (exhibit excerpts) and full copies of the exhibits (attachments) including superior court pleading documents, court decisions, SWRCB and SBCWA documents and copies of the relevant California Codes, among others.

It initially points to 16 major reasons of failure in the Stipulation, provides summaries of each section of the document and then includes the excruciating detail leading to the proof of such. Internal links allow convenient navigation within the document. GSWC has not disputed any of the facts, evidence or exhibits contained therein.

4. The Comments on Proposed Decision (PD) link follows:

<http://personal.linkline.com/trimble/Dismiss/Comments.pdf>

Besides critiquing the PD, this document goes one step further than Section 1 of the Dismiss Motion, where it points out that the authority for the allocation of percolating groundwater in the Stipulation is without merit based on Water Code §1200. This document shows where GSWC recognizes that the SWRCB License is not relevant to percolating groundwater in one pleading document, but still claims it carries such authority in a second document.

5. The Response to GSWC Time Extension link follows:

<http://personal.linkline.com/trimble/Response/Response-A0602026.pdf>

This includes the reason for the original proceeding delay resulting in Phase II. Actually, one of the two reasons cited in this Response is not explicitly referenced in Decision 07-05-041, which is that 1993 Commission Decision 93-03-066 where it was ruled that Santa Maria District rate payers were never to be charged for imported State Water or related infrastructure.

6. The Reply to GSWC Response to PD document follows:

<http://personal.linkline.com/trimble/Dismiss/Reply.pdf>

This refers to the need for the discussion by GSWC to be relevant and limited to the original scoping of June 27, 2006.

Respectfully submitted,



Gerald D. Trimble

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