



July 11, 2017

Mr. Gregory J. Newmark
Meyers Nave, Riback, Silver & Wilson
555 12th Street, Suite 1500
Oakland, California 94607

And Parties, Interested Parties, and Interested Persons (See Mailing List)

RE: Notice of Extension Request Approval and Postponement of Hearing
*California Regional Water Quality Control Board, San Francisco Bay Region,
Order No. R2-2009-0074, Provisions C.2.b, C.2.c, C.2.e, C.2.f, C.8.b, C.8.c, C.8.d,
C.8.e.i, ii and iv, C.8.f, C.8.g, C.10.a.i, ii, and iii, C.10.b, C.10.c, C.10.d, C.11.f, and
C.12.f, 10-TC-01, 10-TC-02, 10-TC-03, and 10-TC-05*
Cities of Alameda, Brisbane, and San Jose, and County of Santa Clara, Claimants

Dear Mr. Newmark:

On July 10, 2017, the Commission on State Mandates (Commission) received Claimants' request for extension to respond to the Notice of Incomplete Joint Test Claim and request for postponement of the December 1, 2017 hearing on the above-captioned consolidated Test Claims.

Section 1187.9(b) of the Commission's regulations provides that each request for postponement will be considered on its own merits and must fully explain the reasons for the request. While postponements are disfavored and pursuant to Government Code section 17530, the executive director has a duty to expedite all matters before the Commission, a request for postponement may be approved for good cause. (Cal. Code. Regs., tit. 2 § 1187.9.)

Specifically, the request states that Claimants require an additional 45-day extension because of the complexity of issues and the inability to obtain essential testimony, documents or other material evidence despite diligent efforts. In addition, some staff in charge of the initial test claim packages are no longer employed by the co-claimants while other staff are unavailable because of summer holidays.

Therefore, the request for extension of time and postponement of hearing is approved for good cause as described in section 1187.9(b)(1)(A) and (D) of the Commission's regulations. The response is now due **August 25, 2017** and this matter is now tentatively set for hearing on **January 26, 2018**.

Sincerely,

Heather Halsey
Executive Director

DECLARATION OF SERVICE BY EMAIL

I, the undersigned, declare as follows:

I am a resident of the County of Sacramento and I am over the age of 18 years, and not a party to the within action. My place of employment is 980 Ninth Street, Suite 300, Sacramento, California 95814.

On July 11, 2017, I served the:

- **Notice of Extension Request Approval and Postponement of Hearing issued July 11, 2017**
- **Request for Extension of Time and Postponement of Hearing filed July 10, 2017**

California Regional Water Quality Control Board, San Francisco Bay Region, Order No. R2-2009-0074, Provisions C.2.b, C.2.c, C.2.e, C.2.f, C.8.b, C.8.c, C.8.d, C.8.e.i, ii and iv, C.8.f, C.8.g, C.10.a.i, ii, and iii, C.10.b, C.10.c, C.10.d, C.11.f, and C.12.f, 10-TC-01, 10-TC-02, 10-TC-03, and 10-TC-05

Cities of Alameda, Brisbane, and San Jose, and County of Santa Clara, Claimants

By making it available on the Commission's website and providing notice of how to locate it to the email addresses provided on the attached mailing list.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on July 11, 2017 at Sacramento, California.



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COMMISSION ON STATE MANDATES

Mailing List

Last Updated: 6/5/17

Claim Number: 10-TC-01, 10-TC-02, 10-TC-03, and 10-TC-05

Matter: California Regional Water Quality Control Board, San Francisco Bay Region, Order No. R2-2009-0074, Provisions C.2.b, C.2.c, C.2.e, C.2.f, C.8.b, C.8.c, C.8.d, C.8.e.i, ii, and iv, C.8.f, C.8.g, C.10.a.i, ii, iii, C.10.b, C.10.c, C.10.d, C.11.f, and C.12.f

Claimant: Cities of Alameda, Brisbane, and San Jose, and County of Santa Clara

TO ALL PARTIES, INTERESTED PARTIES, AND INTERESTED PERSONS:

Each commission mailing list is continuously updated as requests are received to include or remove any party or person on the mailing list. A current mailing list is provided with commission correspondence, and a copy of the current mailing list is available upon request at any time. Except as provided otherwise by commission rule, when a party or interested party files any written material with the commission concerning a claim, it shall simultaneously serve a copy of the written material on the parties and interested parties to the claim identified on the mailing list provided by the commission. (Cal. Code Regs., tit. 2, § 1181.3.)

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