



September 22, 2016

Mr. William Tunick
Dannis Woliver Kelley
555 Capitol Mall, Suite 645
Sacramento, CA 95814

Mr. Christian Keiner
Dannis Woliver Kelley
555 Capitol Mall, Suite 645
Sacramento, CA 95814

Mr. Robert Rapoza
Long Beach Community
College District
4901 East Carson Street
Long Beach, CA 90808

Ms. Ann-Marie Gabel
Long Beach Community
College District
4901 East Carson Street
Long Beach, CA 90808

Ms. Kathy Blackwood
San Mateo County Community
College District
3401 CSM Drive
San Mateo, CA 94402

Mr. Raymond Chow
San Mateo County
Community College
3401 CSM Drive
San Mateo, CA 94402

Ms. Roxanne Brewer
San Mateo County Community
College District
3401 CSM Drive
San Mateo, CA 94402

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

Re: Denial of Request to Expedite Incorrect Reduction Claims

Integrated Waste Management, 14-0007-I-09

Public Resources Code Sections 40418, 40196.3, 42920-42928;

Public Contract Code Section 12167 and 12167.1;

Statutes 1992, Chapter 1116 (AB 3521); Statutes 1999, Chapter 764 (AB 75)

Fiscal Years: 2000-2001, 2001-2002, 2002-2003, 2003-2004, 2004-2005, 2005-2006,
2006-2007, 2007-2008, 2008-2009, 2009-2010, and 2010-2011

Long Beach Community College District, Claimant

Integrated Waste Management, 15-0007-I-12

Public Resources Code Sections 40418, 40196.3, 42920-42928;

Public Contract Code Sections 12167 and 12167.1;

Statutes 1992, Chapter 1116 (AB 3521); Statutes 1999, Chapter 764 (AB 75)

Fiscal Years: 2003-2004, 2005-2006, 2006-2007, 2007-2008, 2008-2009, 2009-2010,
and 2010-2011

San Mateo Community College District, Claimant

Dear Mr. Tunick, Mr. Keiner, Mr. Rapoza, Ms. Ann-Marie Gabel, Ms. Blackwood, Mr. Chow,
and Ms. Brewer:

On September 20, 2016, the Commission on State Mandates (Commission) received a request from Mr. Tunick to expedite the above-captioned Incorrect Reduction Claims (IRCs). The request indicates that the firm of Dannis Woliver Kelley represents two claimants, among several others, the Long Beach Community College District and the San Mateo County Community College District. In addition, it explains that many of the claims will raise common issues which will likely be addressed in the first decision on this program issued by the Commission. Finally,

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Mr. Tunick, Mr. Keiner, Mr. Rapoza, Ms. Ann-Marie Gabel, Ms. Blackwood, Mr. Chow, and Ms. Brewer
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Mr. Tunick requested that the IRCs of claimants represented by your firm be considered prior to other claims, in particular, prior to the claim filed by the Citrus Community College District.

Following review, Commission staff finds that the firm of Dannis Woliver Kelley has not been designated as the claimant representative for Long Beach Community College District. Dannis Woliver Kelley is, however, designated as claimant representative for San Mateo County Community College District, 15-0007-I-12. The IRC filed by Citrus Community College District on this program and presumably referred to in Mr. Tunick's letter is *Integrated Waste Management*, 14-0007-I-03. In future correspondence with the Commission, please always include the matter number in order to facilitate the processing of your requests.

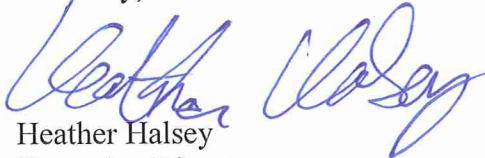
It is the practice of the Commission to adhere to the first-in-time policy, unless circumstances justify an exception. The following are strategies the Commission employs to more efficiently decide matters, with a goal of eliminating the backlog as soon as possible: (1) claim consolidation; (2) common issues; (3) simple test claims and single-issue IRCs; (4) stakeholder requests; and (5) joint RRM's. The Commission has also taken matters out of order for staff development purposes. Commission management has also, on occasion, assigned less-complicated matters out of order to a staff person who has just completed a particularly difficult assignment. This increases the opportunities for staff to gain experience in a wide variety of legal matters and prevents staff burnout.

The next two IRCs on the *Integrated Waste Management* program that are tentatively scheduled to be heard are 13-0007-I-02, and 14-0007-I-03, both of which raise the same cross-cutting issues as San Mateo's 15-0007-I-12, which was the very last IRC filed on this program, and is currently scheduled last. Therefore, there is no reason to move 15-0007-I-12 ahead in the queue, since that would be unfair to other claimants who have been waiting longer for their matters to be heard. Moreover, staff assignments have been given and work has begun on the pending matters for October and January and changing the order of hearing at this time would cause further delay and disrupt the Commission's workflow.

Therefore, your request to expedite these two IRCs is denied.

However, as representative of San Mateo County Community College District, you are welcome to participate in the process, and submit comments fully briefing the issues, as an interested party on the first IRCs to be heard on this program. If you have not done so already, you may request to be added to the mailing lists for the other *Integrated Waste Management* IRCs so that you receive the draft proposed decisions for your review and comment and any other correspondence on these matters as they move forward.

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 September 22, 2016, I served the:

**Request to Expedite Incorrect Reduction Claims and
Denial of Request to Expedite Incorrect Reduction Claims**

Integrated Waste Management, 14-0007-I-09

Public Resources Code Sections 40418, 40196.3, 42920-42928;

Public Contract Code Section 12167 and 12167.1;

Statutes 1992, Chapter 1116 (AB 3521); Statutes 1999, Chapter 764 (AB 75)

Fiscal Years: 2000-2001, 2001-2002, 2002-2003, 2003-2004, 2004-2005, 2005-2006,
2006-2007, 2007-2008, 2008-2009, 2009-2010, and 2010-2011

Long Beach Community College District, Claimant

Integrated Waste Management, 15-0007-I-12

Public Resources Code Sections 40418, 40196.3, 42920-42928;

Public Contract Code Sections 12167 and 12167.1;

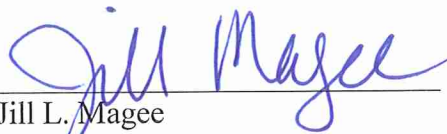
Statutes 1992, Chapter 1116 (AB 3521); Statutes 1999, Chapter 764 (AB 75)

Fiscal Years: 2003-2004, 2005-2006, 2006-2007, 2007-2008, 2008-2009, 2009-2010,
and 2010-2011

San Mateo Community College District, Claimant

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 September 22, 2016 at Sacramento, California.



Jill L. Magee

Commission on State Mandates

980 Ninth Street, Suite 300

Sacramento, CA 95814

(916) 323-3562

COMMISSION ON STATE MANDATES

Mailing List

Last Updated: 9/21/16

Claim Number: 15-0007-I-12

Matter: Integrated Waste Management

Claimant: San Mateo Community College District

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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