



January 24, 2019

Mr. Kevin Hunt
Central Basin Municipal Water District
6252 Telegraph Road
Commerce, CA 90040

Mr. Lloyd W. Pellman
Nossaman, LLP
777 South Figueroa Street, 34th Floor
Los Angeles, CA 90017

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

RE: Notice of Hearing Postponement Approval and Change of Representative
Central Basin Municipal Water District Governance Reform, 17-TC-02
Water Code Sections 71265, 71266, and 71267;
Statutes 2016, Chapter 401 (AB 1794)
Central Basin Municipal Water District, Claimant

Dear Mr. Hunt and Mr. Pellman:

On January 22, 2019, the Commission on State Mandates (Commission) received your request for postponement of the January 25, 2019 CSM hearing on the above-captioned Test Claim and for a change of claimant representative.

Specifically, you request a postponement due to the family obligations of the claimant and the new claimant representative and for additional time for the new claimant representative to prepare for the hearing.

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 by the claimant, less than 15 days before the hearing, *may* be approved for good cause. (Cal. Code. Regs., tit. 2 § 1187.9(b)(3)(C).)

Section 1187.9(b)(1)(A) of the Commission's regulations provides that the circumstances that may indicate good cause include the unavailability of a party, party representative, or witness because of death, illness, or other excusable circumstances. (Cal. Code. Regs., tit. 2 § 1187.9(b)(1)(A).) It is unclear whether family visiting from out of town would meet this standard, especially for a request on the week of the hearing when the request could have been made at an earlier time (such as when the Draft was issued for comment on November 19, 2018 or at any time before the 15-day mark).

However, section 1187.9(b)(1)(C)(1) of the Commission's regulations additionally provides that circumstances that may indicate good cause include the addition of a new party if the new party has not had a reasonable opportunity to prepare for hearing. (Cal. Code. Regs., tit. 2 § 1187.9(b)(1)(C)(1).) And section 1181.2(l) defines "party" to include a party representative.

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Therefore, the request for postponement of hearing is approved for good cause as described in section 1187.9(b)(1)(C)(1) of the Commission's regulations to allow the new representative to prepare for hearing.

This matter is now set for hearing on **March 22, 2019**.

Sincerely,

A handwritten signature in blue ink, appearing to read "Heather Halsey", written in a cursive style.

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.

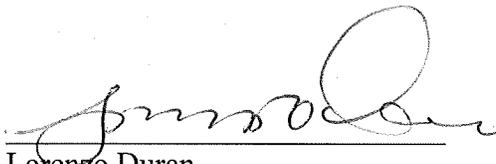
On January 24, 2019, I served the:

- **Notice of Hearing Postponement Approval and Change of Representation issued January 24, 2019**
- **Claimant's Request for Postponement of Hearing and Change of Representation filed January 22, 2019**

Central Basin Municipal Water District Governance Reform, 17-TC-02
Water Code Sections 71265, 71266, and 71267;
Statutes 2016, Chapter 401 (AB 1794)
Central Basin Municipal Water 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 January 24, 2019 at Sacramento, California.



Lorenzo Duran
Commission on State Mandates
980 Ninth Street, Suite 300
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(916) 323-3562

COMMISSION ON STATE MANDATES

Mailing List

Last Updated: 1/23/19

Claim Number: 17-TC-02

Matter: Central Basin Municipal Water District Governance Reform

Claimant: Central Basin Municipal Water 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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