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RECEIVED
August 29, 2018
**Commission on
State Mandates**

August 29, 2018

Heather Halsey
Executive Director
Commission on State Mandates
980 9th Street, Suite# 300
Sacramento, CA 95814

*In Support of Test Claim for Permit Amendment No. 2017PA-SCHOOLS,
City of San Diego Public Water System No. 3710020, effective January 18, 2017, 17-TC-03*

Dear Ms. Halsey:

The Office of the City Attorney for the City of San Diego represents the City of San Diego Public Utilities Department ("Claimant") with respect to the Test Claim concerning the State Water Resources Control Board, San Diego Region, Permit Amendment No. 2017PA-SCHOOLS ("Permit Amendment") issued on January 18, 2017.

On January 11, 2018, the City filed Test Claim 17-TC-03 with the Commission alleging that the State Water Resources Control Board ("SWRCB") imposed the costs of K-12 school lead testing upon the Claimant without providing a legal mechanism for recovering those costs. Comments from interested parties were due to the Commission on August 13, 2018.

On August 15, 2018, the Claimant was served with comments and a legal response from the California Department of Finance ("DOF"), along with comments and the Administrative Record from the SWRCB. The AR alone is 14,806 pages in length, with many technical exhibits.

- SWRCB's Comments on the Test Claim filed August 13, 2018 – **Total 39 pages**
- Administrative Record for Permit Amendment No. 2017PA-SCHOOLS, City of San Diego Public Water System No. 3710020, effective January 18, 2017 filed August 13, 2018 – **Total 14,806 pages**
- Finance's Comments on the Test Claim filed August 13, 2018 – **Total 648 pages**

The Claimant's response to the comments of the DOF and the SWRCB are currently due on or before September 14, 2018. The San Diego City Attorney's Office has limited resources in which to review and respond to the 15,493 pages of comments and exhibits submitted in response to its Test Claim.

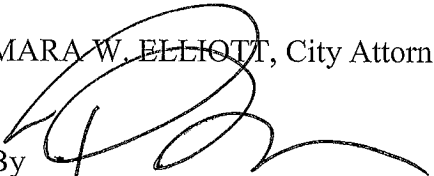
Claimant, the City of San Diego Public Utilities Department, therefore requests a 45-day extension to respond to the comments of the DOF and the SWRCB. This 45-day extension will not postpone the March 22, 2019 hearing of this matter. Pursuant to 2 Cal. Code Reg. §1187.9(a), so long as a postponement of the hearing would not be required, there is no prejudice to any party or interested party and there is no other good reason for denial, a request for extension shall be approved.

Thank you in advance for your consideration of this request for a 45-day extension of time to respond.

Sincerely yours,

MARA W. ELLIOTT, City Attorney

By



Raymond C. Palmucci
Deputy City Attorney

RCP:amc

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.

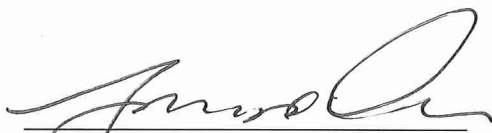
On August 30, 2018, I served the:

- **Notice of Extension Request Approval issued August 30, 2018**
- **Claimant's Request for Extension of Time filed August 29, 2018**

*Lead Sampling in Schools, Permit Amendment No. 2017PA-SCHOOLS, City of San Diego Public Water System No. 3710020, effective January 18, 2017, 17-TC-03
City of San Diego, 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 August 30, 2018 at Sacramento, California.



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COMMISSION ON STATE MANDATES

Mailing List

Last Updated: 8/23/18

Claim Number: 17-TC-03

Matter: Lead Sampling in Schools, Permit Amendment No. 2017PA-SCHOOLS, City of San Diego Public Water System No. 3710020, effective January 18, 2017

Claimant: City of San Diego

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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