

IN THE SUPREME COURT OF THE
STATE OF CALIFORNIA

MONTEREY PENINSULA WATER
MANAGEMENT DISTRICT,

Petitioner,

v.

PUBLIC UTILITIES COMMISSION OF
THE STATE OF CALIFORNIA,

Respondent,

CALIFORNIA-AMERICAN WATER
COMPANY,

Real Party In Interest.

Case No. S208838

Commission Decisions

D.11-03-035

& D.13-01-040

SUPREME COURT
FILED

AUG 14 2013

Frank A. McGuire Clerk

Deputy

**MOTION OF THE RESPONDENT
FOR LEAVE TO FILE SUPPLEMENTAL ANSWER**

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August 14, 2013

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**TO THE HONORABLE CHIEF JUSTICE TANI G. CANTIL-SAKAUYE &
ASSOCIATE JUSTICES OF THE CALIFORNIA SUPREME COURT:**

Respondent, the California Public Utilities Commission (“Commission”), respectfully requests permission to file the attached supplemental answer in the above captioned proceeding. (See California Rules of Court Rule 8.520(d).)

Although the Commission does not ordinarily ask for an opportunity to do supplemental briefing, a recent review of the Commission decisions under review and the pleadings of the parties make evident that there is an unintended ambiguity regarding the

use of the term "User Fee." Because it would be a disservice to the Court to let the ambiguity remain, the Commission submits this motion and attached supplemental answer.

Dated: August 14, 2013

Respectfully submitted,

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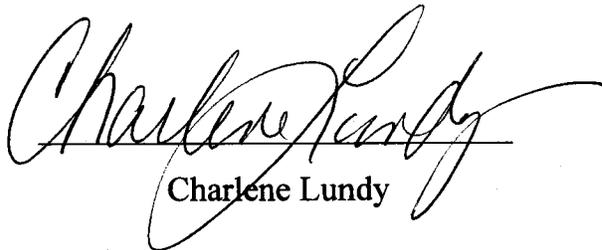
Attorneys for Respondent
CALIFORNIA PUBLIC UTILITIES COMMISSION

CERTIFICATE OF SERVICE BY MAIL

I hereby certify that I am a citizen of the United States, over the age of 18 years, with business address at 505 Van Ness Avenue, San Francisco, California and am neither a party to nor interested in **Case No. S208838, *Monterey Peninsula Water Management District v. Public Utilities Commission of the State of California***, before the Supreme Court of the State of California.

On August 14, 2013 San Francisco, California, I caused to be deposited in overnight mail copies of **MOTION OF RESPONDENT FOR LEAVE TO FILE SUPPLEMENTAL ANSWER** in **Case No. S208838** on all parties listed on the attached service list.

Each copy was enclosed in a sealed envelope and all postage thereon fully prepaid. I certify under penalty of perjury that the foregoing is true and correct.


Charlene Lundy

SERVICE LIST
S208838

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