



Linda S. Adams
Secretary for
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State Water Resources Control Board

Division of Water Rights

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Arnold Schwarzenegger
Governor

NOTICE OF PUBLIC HEARING AND PRE-HEARING CONFERENCE

**The State Water Resources Control Board will hold a
Pre-hearing Conference and Hearing to
Determine whether to Reconsider Order WR 2006-0018-DWR
Denying North San Joaquin Water Conservation District's
Petition for Extension of Time (Application 12842)**

Mokelumne River tributary to San Joaquin River, San Joaquin County

**The pre-hearing conference will commence at
10:00 a.m. on Wednesday, May 23, 2007**

at
Joe Serna, Jr./Cal-EPA Building
1001 I Street, Second Floor, **Sierra Hearing Room**
Sacramento, CA

The hearing will commence at 9:00 a.m. on Thursday, June 21, 2007

at
Joe Serna, Jr./Cal-EPA Building
1001 I Street, Second Floor, **Coastal Hearing Room**
Sacramento, CA

SUBJECT OF HEARING

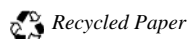
The State Water Resources Control Board (State Water Board or Board) will conduct this hearing to receive evidence relevant to its determination on a petition for reconsideration of Order WR 2006-0018-DWR. On November 30, 2006, the Chief of the Division of Water Rights (Division) issued Order WR 2006-0018-DWR, denying North San Joaquin Water Conservation District's (District) petition for extension of time to complete beneficial use of water under Permit 10477 (Application 12842). The District timely petitioned for reconsideration.¹

PRE-HEARING CONFERENCE

The hearing officer(s) will conduct a pre-hearing conference to discuss the scope of the hearing and any other appropriate procedural issues on **Wednesday, May 23, 2007, at 10:00 a.m.** The

¹ In May 2004 the District filed a petition to include a new point of diversion on the Mokelumne River and to add underground storage as a place of storage under Permit 10477. In Order WR 2006-0018-DWR, the Division Chief conditionally approved the changes in the place of use and place of storage sought by the District. The District did not seek reconsideration of the Division's conditional approval of those changes, and those approvals will not be considered in this proceeding.

California Environmental Protection Agency



goal of the pre-hearing conference is to ensure that the hearing proceeds in an orderly and expeditious manner. The pre-hearing conference will not be used to hear arguments on, or determine the merits of, any hearing issues, other than procedural matters, unless the parties agree to resolve a hearing issue by stipulation. Following the pre-hearing conference, the State Water Board may, at its discretion, modify the hearing procedures or issues set forth in this notice in whole or in part. **All parties to the hearing must attend the pre-hearing conference.** Failure to attend the pre-hearing conference may result in exclusion from participation in the hearing.

ABOUT THIS HEARING

The **hearing** will commence at **9:00 a.m. on Thursday, June 21, 2007**. State Water Board Members Arthur G. Baggett, Jr., and Charles R. Hoppin will preside as hearing officers over this proceeding. Other Board members may be present during the hearing. State Water Board hearing team staff members will include Erin Mahaney, Senior Staff Counsel; and Jean McCue and Ernie Mona, Water Resource Control Engineers. The hearing staff will assist the hearing officers and the other members of the State Water Board during the hearing.

BACKGROUND

In 1948 the District filed Application 12842 to appropriate water from the Mokelumne River in San Joaquin County. On July 3, 1956, after a hearing on competing water right applications, the State Engineer (the State Water Board's predecessor) issued Decision 858 granting the East Bay Municipal Utility District's (EBMUD) application priority over the District's application. The District received Permit 10477 for the temporary appropriation of water that is surplus to EBMUD's needs.²

Permit 10477 required the District to complete construction and put water to beneficial use by December 1, 1960, and December 1, 1970, respectively. The District has requested, and the State Water Board has previously granted, three extensions of time to complete the full beneficial use of water. The permit currently requires the District to apply water to full beneficial use by December 31, 2000. On December 29, 2000, the District filed a fourth petition for an extension of time, requesting an extension until 2010 to complete both construction and use of the water under Permit 10477. In Order WR 2006-0018-DWR the Division Chief denied the District's December 29, 2000, petition for extension of time.

The District timely filed a petition for reconsideration of the Division's order denying the time extension. The District alleges that Order WR 2006-0018-DWR is not supported by substantial evidence and is based on error in law. The District also contends that the State Water Board should consider additional relevant evidence that could not have been produced when the District filed its petition for extension of time in 2000.

By Order WR 2007-0005, dated February 20, 2007, the State Water Board provisionally granted the District's petition for reconsideration of Order WR 2006-0018-DWR, without deciding the merits of the District's petition. The State Water Board suspended the portion of Order WR 2006-0018-DWR that denies an extension of time pending the State Water Board's issuance of an order after a hearing. The State Water Board ordered that a public hearing be conducted to

² Under Water Code section 1462, when the State Water Board issues a permit to a municipality for a quantity of water exceeding existing municipal needs, the Board may also issue a permit for the temporary appropriation of water that is in excess of those existing needs.

receive evidence on whether the Division's order should be set aside, modified, upheld, or other appropriate action should be taken.

KEY ISSUES

1. What action, if any, should the State Water Board take with respect to the Division Chief's denial, in Order WR 2006-0018-DWR, of the North San Joaquin Water Conservation District's petition for extension of time? If the State Water Board modifies Order WR 2006-0018-DWR, or takes other action on the order, what modifications or actions are recommended, and what is the basis for such modifications or actions?
2. What evidence is available to support a finding regarding:
 - a. Whether the District has demonstrated good cause for an extension of time?
 - b. Whether the District has demonstrated that:
 - i. the time extension is in the public interest;
 - ii. it has exercised due diligence;
 - iii. its failure to comply with previous time requirements has been occasioned by obstacles that could not be reasonably avoided;
 - iv. satisfactory progress will be made if an extension of time is granted?
3. If the State Water Board grants an extension of time, what evidence is available to support a finding regarding:
 - a. What period of time extension is appropriate given that Permit 10477 is for the temporary appropriation of excess water?
 - b. What conditions, if any, would be in the public interest?
 - c. What actions should the State Water Board take as a responsible agency to review the District's petition consistent with the requirements of the California Environmental Quality Act (CEQA)?
 - d. Whether approval of the time extension petition will result in adverse environmental impacts, including adverse water quality impacts or harm to public trust resources? What conditions, if any, should the State Water Board impose to avoid or mitigate any adverse impacts on water quality, fish, wildlife, or other public trust resources that would otherwise occur as a result of approval of the petition?
 - e. Whether approval of the time extension petition will result in injury to legal users of water? What conditions, if any, should the State Water Board impose to avoid or mitigate injury to legal users of water?

HEARING PARTICIPATION

IF YOU WANT TO TAKE PART IN THIS HEARING, you should carefully read the enclosure titled "Information Concerning Appearance at Water Right Hearings." As stated in that enclosure, parties intending to present evidence at the hearing must submit a **Notice of Intent to Appear**, which must be **received** by the State Water Board no later than **noon on Friday, May 11, 2007**. **All parties to the hearing must attend the pre-hearing conference on Wednesday, May 23, 2007.**

On or about **Tuesday, May 15, 2007**, the State Water Board will mail out a service list of parties who have indicated intent to participate in the hearing in order to facilitate exchange of testimony, exhibits and witness qualifications. Copies of witnesses' proposed testimony, exhibits, list of exhibits, and qualifications must be **received** by the State Water Board and

served on each of the parties who have indicated their intent to appear, no later than **noon on Friday, June 1, 2007**. In addition, no later than **noon on Friday, June 1, 2007**, each participant shall serve a copy of its Notice of Intent to Appear on each of the participants identified on the service list and shall also serve on the State Water Board and the participants on the service list a statement of service that indicates the manner of service.

PARKING, ACCESSIBILITY, AND SECURITY

The enclosed maps show the location of the Joe Serna Jr./Cal-EPA Building and public parking sites in Sacramento. The Joe Serna Jr./Cal-EPA Building Sierra and Coastal Hearing Rooms are accessible to persons with disabilities.

Due to enhanced security precautions at the Cal-EPA Headquarters Building, all visitors are required to register with security staff prior to attending any meeting. To sign in and receive a visitor's badge, visitors must go to the Visitor and Environmental Services Center, located just inside and to the left of the building's public entrance. Depending on their destination and the building's security level, visitors may be asked to show valid picture identification. Valid picture identification can take the form of a current driver's license, military identification card, or state or federal identification card. Depending on the size and number of meetings scheduled on any given day, the security check-in could take from three to fifteen minutes. Please allow adequate time to sign in before being directed to your meeting.

IF YOU HAVE ANY QUESTIONS

During the pendency of this proceeding and commencing no later than the issuance of this notice, there shall be no *ex parte* communications between State Water Board members or State Water Board hearing team staff and any of the other participants regarding substantive or controversial procedural matters within the scope of the proceeding. (Gov. Code, §§ 11430.10-11430.80.) Questions regarding non-controversial procedural matters (Gov. Code, § 11430.20, subd. (b)) should be directed to Erin Mahaney, at (916) 341-5187 or Jean McCue, at (916) 341-5351.

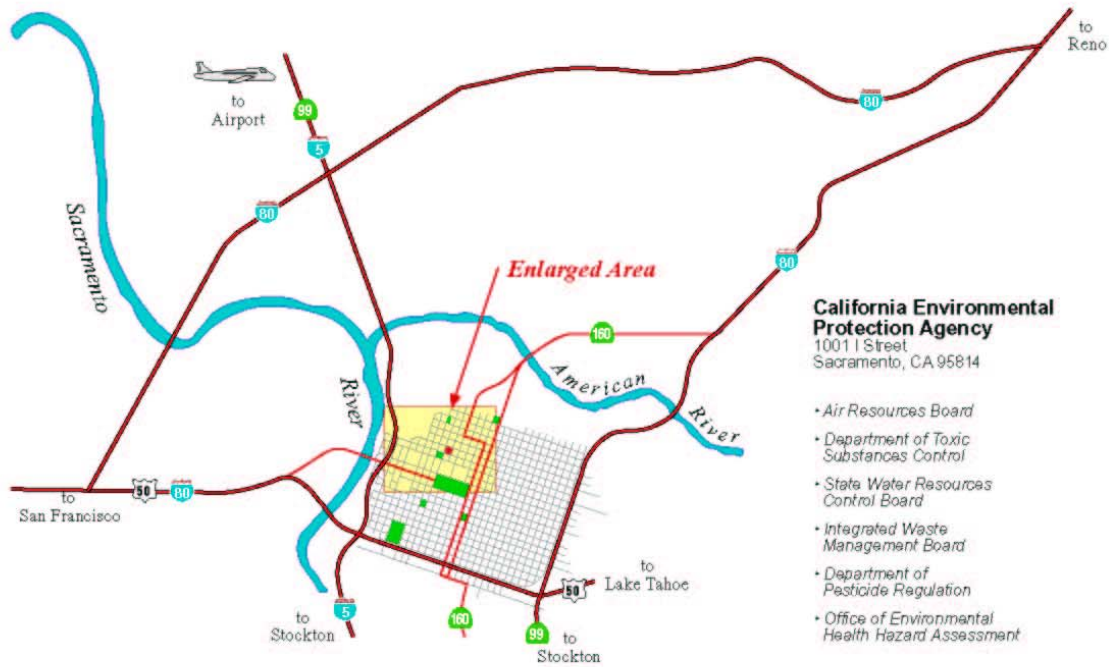


Song Her
Clerk to the Board

Date: April 16, 2007

Enclosures

Enclosure 1



Parking Lot Locations



Parking Lot Locations

- Lot 1 (7th & G St.)
- Lot 2 (7th & G St.)
- Lot A (7th & Capitol)
- Lot C (14th & H St.)
- Lot G (3rd & L)
- Lot H (10th & L)
- Lot I (10th & I, 11th & I)
- Lot K (6th & J/L, 7th & K)
- Lot P (2nd & I)
- Lot U (5th & J)
- Lot W (2nd & I St.)

STAFF EXHIBITS OFFERED INTO EVIDENCE

The following items will be offered, by reference, as staff exhibits at the hearing regarding North San Joaquin Water Conservation District's petition for reconsideration of State Water Board Order WR 2006-0018-DWR

SWRCB-1: All water right files related to Application 12842

SWRCB-2: State Water Resources Control Board Order WR 2006-0018-DWR

INFORMATION CONCERNING APPEARANCE AT WATER RIGHT HEARINGS

The following procedural requirements will apply and will be strictly enforced for purposes of the above-mentioned hearing.

1. **HEARING PROCEDURES GENERALLY:** The hearing will be conducted in accordance with the procedures for hearings set forth at California Code of Regulations, title 23, sections 648-648.8, 649.6 and 760, as they currently exist or may be amended. A copy of the current regulations and the underlying statutes governing adjudicative proceedings before the State Water Board is available upon request or may be viewed at the State Water Board's web site: http://www.waterboards.ca.gov/water_laws/index.html.

Each party has the right to call and examine witnesses, introduce exhibits, cross-examine opposing witnesses on any matter relevant to the issues even if that matter was not covered in the direct examination, impeach any witness, rebut adverse evidence, and subpoena, call and examine an adverse party or witness as if under cross-examination. The hearing officers may extend these rights to a non-party participant or may limit the participation of a non-party participant.

Any requests for exceptions to the procedural requirements specified in this notice shall be filed in writing. To provide time for other participants to respond, the hearing officers will rule on procedural requests filed in writing no sooner than fifteen days after receiving the request, unless an earlier ruling is necessary to avoid disrupting the hearing.

2. **PARTIES:** The parties are the North San Joaquin Water Conservation District and any other persons or entities authorized by the hearing officers to participate in the hearing as parties. Only parties and other participants who are authorized by the hearing officers will be allowed to present evidence. A person or entity that appears and presents only a policy statement will not be allowed to participate in other parts of the hearing. The rules for policy statements are discussed below.
3. **NOTICE OF INTENT TO APPEAR:** Participants in this hearing must file five copies of a Notice of Intent to Appear, which must be **received** by the State Water Board no later than **noon on Friday, May 11, 2007**. Failure to submit a Notice of Intent to Appear and exhibits in a timely manner may be interpreted by the State Water Board as intent not to appear.

The Notice of Intent to Appear must state: (1) the name and address of the participant, (2) the name of each witness who will testify on the participant's behalf, (3) a brief description of the proposed testimony, and (4) an estimate of the time (not to exceed 20 minutes) that the witness will need to present a brief oral summary of the witness' testimony. The witness' testimony must be submitted in writing as described in Section 4 below.

Participants who do not intend to present a case-in-chief but who may wish to cross-examine witnesses or present rebuttal should so indicate on the Notice of Intent to Appear.

Participants who decide not to present a case-in-chief after having submitted a Notice of Intent to Appear should notify the State Water Board and the other participants as soon as possible.

In order to expedite the exchange of information and lower the cost of participating in the hearing, the State Water Board encourages participants to submit written policy statements, written opening statements, written testimony, exhibits, and Exhibit Identification Indexes to the State Water Board in electronic form. In addition, participants may exchange the foregoing documents in electronic form. Hearing participants are not

required to submit these documents in electronic form or accept electronic service; however, those who choose to submit these documents electronically must comply with the requirements described in section 5, below. If you are willing to accept electronic media service in lieu of receiving hard copies of items, please check the appropriate box on the Notice of Intent to Appear.

The State Water Board will mail a service list of parties to exchange information to each hearing party who has submitted a Notice of Intent to Appear. Hearing participants who intend to make only policy statements are not required to exchange information and will not receive testimony or exhibits from the parties. The service list will indicate which participants agreed to accept electronic service. No later than **noon on Friday, June 1, 2007**, each participant shall serve a copy of its Notice of Intent to Appear on each of the participants identified on the service list and shall also serve on the State Water Board and the participants on the service list a statement of service that indicates the manner of service. If there is any change in the hearing schedule, only those persons or entities that have filed a Notice of Intent to Appear will be informed of the change.

4. **WRITTEN TESTIMONY AND OTHER EXHIBITS:** Exhibits include written testimony, statements of qualifications of expert witnesses, and other documents to be used as evidence. Each participant proposing to present testimony on factual or other evidentiary matters at the hearing shall submit such testimony in writing.³ Written testimony shall be designated as an exhibit, and must be submitted with the other exhibits. Oral testimony that goes beyond the scope of the written testimony may be excluded. A participant who proposes to offer expert testimony must submit an exhibit containing a statement of the expert witness's qualifications.

Each participant shall submit to the State Water Board either: six paper copies of each of its exhibits or five paper copies and one electronic copy of each of its exhibits. Each participant shall also serve a copy of each exhibit on every participant on the service list. Participants may serve those parties who agree to electronic service with an electronic copy of exhibits. Participants must serve paper copies of exhibits on those participants who do not agree to electronic service.

With its exhibits, each participant must submit to the State Water Board and serve on the other participants a completed Exhibit Identification Index. If possible, each participant should submit to the State Water Board and serve on the other participants an electronic copy, as well as a paper copy of the Exhibit Identification Index. Please see Section 5 for details regarding electronic submissions.

A statement of service with manner of service indicated shall be filed with each participant's exhibits. The exhibits and indexes for this hearing, and a statement of service, must be **received** by the State Water Board by **noon on Friday, June 1, 2007**, and served on the other participants on or before that date.

³ The hearing officer may make an exception to this rule if the witness is adverse to the participant presenting the testimony and is willing to testify only in response to a subpoena or alternative arrangement. In such a case, the hearing officer may allow presentation of the oral direct testimony without requiring written testimony.

The following requirements apply to exhibits:

- a. Exhibits based on technical studies or models shall be accompanied by sufficient information to clearly identify and explain the logic, assumptions, development, and operation of the studies or models.
 - b. The hearing officers have discretion to receive in evidence by reference relevant, otherwise admissible, public records of the State Water Board and documents or other evidence that have been prepared and published by a public agency, provided that the original or a copy was in the possession of the State Water Board before the notice of the hearing is issued. (Cal. Code Regs., tit. 23, § 648.3.) A participant offering an exhibit by reference shall advise the other participants and the State Water Board of the titles of the documents, the particular portions, including page and paragraph numbers, on which the participant relies, the nature of the contents, the purpose for which the exhibit will be used when offered in evidence, and the specific file folder or other exact location in the State Water Board's files where the document may be found.
 - c. A participant seeking to enter in evidence as an exhibit a voluminous document or database may so advise the other participants prior to the filing date for exhibits, and may ask them to respond if they wish to have a copy of the exhibit. If a participant waives the opportunity to obtain a copy of the exhibit, the participant sponsoring the exhibit will not be required to provide a copy to the waiving participant. Additionally, such exhibits may be submitted to the State Water Board in electronic form, using a file format readable by Microsoft Office 2000 software.
 - d. Exhibits that rely on unpublished technical documents will be excluded unless the unpublished technical documents are admitted as exhibits.
 - e. **Large Format Exhibits:** Participants submitting large format exhibits such as maps, charts, and other graphics shall provide the original for the hearing record in a form that can be folded to 8 ½ x 11 inches. Alternatively, participants may supply, for the hearing record, a reduced copy of a large format original if it is readable.
5. **ELECTRONIC SUBMISSIONS:** Participants are encouraged to submit the following documents to the State Water Board in electronic form: written opening statements, written policy statements, written testimony, exhibits, and Exhibit Identification Indexes. In addition, the foregoing documents may be served electronically on those participants who have agreed to accept electronic service. Paper copies of all other documents must be submitted to the State Water Board and served on the other parties, unless the hearing officers specify otherwise.

Any documents submitted or served electronically must be in Adobe™ Portable Document Format (PDF), except for Exhibit Identification Indexes, which must be in a version supported by Microsoft Excel or Word. Electronic submittals to the State Water Board of documents less than 15 megabytes (incoming mail server attachment limitation) in total size may be sent via electronic mail to: wrhearing@waterboards.ca.gov with a subject of "North San Joaquin WCD Petition Hearing". Electronic submittals to the State Water Board of documents greater than 15 megabytes in total size should be sent by regular mail in PDF format on compact disk (CD™) media. Electronic service on participants shall be in the same format as submittals to the State Water Board, and should be submitted to the other participants by mail on CD.

Participants who agree to electronic service may request that specific documents be provided to them in paper copy. Requests should be made to the participant who submitted the document, not to the State Water Board. Participants who receive such a request shall provide a paper copy of the requested document within five days of the date the request is received. The State Water Board will post a list of all exhibits submitted for the hearing on its website at http://www.waterrights.ca.gov/Hearings/no_sjwcd_hearings.html.

6. **ORDER OF PROCEEDINGS:** The State Water Board members serving as hearing officers will follow the Order of Proceedings specified in California Code of Regulations, title 23, section 648.5. Participants should take note of the following additional information regarding the major hearing events. The time limits specified below may be changed by the hearing officers, at the hearing officers' discretion, as a result of the pre-hearing conference.
 - a. **Policy Statements:** Pursuant to California Code of Regulations, title 23, section 648.1, subdivision (d), the State Water Board will provide an opportunity for presentation of nonevidentiary policy statements or comments by interested persons who are not participating in the hearing. Policy statements will be heard at the start of the hearing, immediately after a hearing officer identifies the parties and other participants. Policy statements are subject to the following provisions in addition to the regulation:
 - i. Policy statements are not subject to the prehearing requirements noted above for testimony or exhibits, except that persons wishing to make policy statements are requested to file a Notice of Intent to Appear, indicating clearly an intent to make only a policy statement.
 - ii. The State Water Board requests that policy statements be provided in writing before they are presented. Please see Section 5, above, for details regarding electronic submittal of policy statements. Oral summaries of the policy statements will be limited to five minutes or such other time as established by the hearing officers.
 - b. **Presentation of Cases-In-Chief:** Each participant may present a case-in-chief addressing the key issues identified in the hearing notice. The case-in-chief will consist of any opening statement provided by the participant, oral testimony, introduction of exhibits, and cross-examination of the participant's witnesses. The hearing officers may allow redirect examination and recross examination. The hearing officers will decide whether to accept the participant's exhibits in evidence upon a motion of the participant after the case-in-chief has been completed.
 - i. **Opening Statements:** At the beginning of a case-in-chief, the participant or the participant's attorney may make an opening statement briefly and concisely stating the objectives of the case-in-chief, the major points that the proposed evidence is intended to establish, and the relationship between the major points and the key issues. Oral opening statements will be limited to 20 minutes per participant. A participant may submit a written opening statement. Please see section 5, above, for details regarding electronic submittal of written opening statements. Any policy-oriented statements by a participant should be included in the participant's opening statement.

- ii. **Oral Testimony:** All witnesses presenting testimony shall appear at the hearing. Before testifying, witnesses shall swear or affirm that the written and oral testimony they will present is true and correct. Written testimony shall not be read into the record. Written testimony affirmed by the witness is direct testimony. Witnesses will be allowed up to 20 minutes to summarize or emphasize their written testimony on direct examination.⁴ Each participant will be allowed up to two hours total to present all of its direct testimony.⁵
- iii. **Cross-Examination:** Cross-examination of a witness will be permitted on the party's written submittals, the witness' oral testimony, and other relevant matters. If a participant presents multiple witnesses, a hearing officer will decide whether the participant's witnesses will be cross-examined as a panel. Cross-examiners initially will be limited to one hour per witness or panel of witnesses. The hearing officers have discretion to allow additional time for cross-examination if there is good cause demonstrated in an offer of proof. Any redirect examination and recross examination permitted by a hearing officer will be limited to the scope of the cross-examination and the redirect examination, respectively. Witnesses may be cross-examined on relevant subjects that are not covered in the direct testimony. (Gov. Code, § 11513, subd. (b).) Ordinarily, only a participant or the participant's representative will be permitted to examine a witness, but a hearing officer may allow a participant to designate a person technically qualified in the subject being considered to examine a witness. State Water Board members and the State Water Board's counsel may ask questions at any time, and the State Water Board members and staff may cross-examine any witness.
- c. **Rebuttal:** After all participants have presented their cases-in-chief and their witnesses have been cross-examined, the hearing officers will allow participants to present rebuttal evidence. Rebuttal evidence is new evidence used to rebut evidence presented in another participant's case-in-chief. Rebuttal testimony and exhibits need not be submitted prior to the hearing. Rebuttal evidence is limited to evidence that is responsive to evidence presented in a case-in-chief, and it does not include evidence that should have been presented during the presenter's case-in-chief. It also does not include repetitive evidence. Cross-examination of rebuttal evidence will be limited to the scope of the rebuttal evidence.
- d. **Closing Statements and Legal Arguments:** At the close of the hearing or at other times if appropriate, a hearing officer may allow oral arguments or set a schedule for filing briefs or closing statements. If a hearing officer authorizes the participants to file briefs, five copies of each brief shall be submitted to the State Water Board, and one copy shall be served on each of the other participants on the service list. A participant shall not attach a document of an evidentiary nature to a brief unless the document is at the time in the evidentiary hearing record or is the subject of an offer of the document in evidence. Every participant filing a brief shall file a statement of service with the brief, indicating the manner of service.

7. **EX PARTE CONTACTS:** During the pendency of this proceeding, commencing no later than the issuance of the Notice of Hearing, there shall be no *ex parte* communications between either State Water Board members or State Water Board hearing team staff and

⁴ The hearing officer may allow additional time for the oral direct testimony of the witness if the witness is adverse to the participant presenting the testimony and the hearing officer is satisfied that the participant could not produce written direct testimony for the witness.

⁵ The hearing officer may, for good cause, approve a party's request to use more than two hours total to present direct testimony during the party's case-in-chief.

any of the other participants regarding substantive issues within the scope of the proceeding. (Gov. Code, §§ 11430.10-11430.80.) Communications regarding non-controversial procedural matters are permissible, and should be directed to the State Water Board staff attorney on the hearing team, not State Water Board members. (Gov. Code, § 11430.20, subd. (b).) A document regarding *ex parte* communications entitled, “Ex Parte Questions and Answers” is available upon request or from our website at <http://www.waterboards.ca.gov/docs/exparte.pdf>.

8. **RULES OF EVIDENCE:** Evidence will be admitted in accordance with Government Code section 11513. Hearsay evidence may be used to supplement or explain other evidence, but over timely objection shall not be sufficient in itself to support a finding unless it would be admissible over objection in a civil action.
9. **SUBMITTALS TO THE STATE WATER BOARD:** Notices of Intent to Appear, written testimony and other exhibits submitted to the State Water Board should be addressed as follows:

**Division of Water Rights
State Water Resources Control Board
P.O. Box 2000
Sacramento, CA 95812-2000
Attn: Jean McCue
Phone: (916) 341-5351
Fax: (916) 341-5400
Email: wrhearing@waterboards.ca.gov
With Subject of “North San Joaquin WCD Petition Hearing”**

NOTICE OF INTENT TO APPEAR

_____ plans to participate in the water right hearing regarding:
 (name of party or participant)

Hearing regarding North San Joaquin Water Conservation District's Petition for
 Reconsideration of Order WR 2006-0018-DWR
Scheduled to commence on Thursday, June 21, 2007
(Pre-hearing Conference scheduled for Wednesday, May 23, 2007)

- I/we intend to present a policy statement only.
- I/we intend to participate by cross-examination or rebuttal only.
- I/we agree to accept electronic service of hearing-related materials.
- I/we plan to call the following witnesses to testify at the hearing.

NAME	SUBJECT OF PROPOSED TESTIMONY	ESTIMATED LENGTH OF DIRECT TESTIMONY	EXPERT WITNESS (YES/NO)

(If more space is required, please add additional pages or use reverse side.)

Name, Address, Phone Number and Fax Number of Attorney or Other Representative

Signature _____ Dated: _____

Name (Print): _____

Mailing Address: _____

Phone Number: () _____ Fax Number: () _____

E-mail Address: _____

