

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA



FILED
1-21-16
04:59 PM

In the Matter of Application of Odd Fellows Sierra Recreation Association, a California corporation, and Sierra Park Water Company, Inc., a California corporation, for Certificate of Public Convenience and Necessity to Operate a Public Utility Water System near Long Barn, Tuolumne County, California and to Establish Rates for Service and For Sierra Park Water Company, Inc. to Issue Stock.

Application 13-09-023
(Filed September 20, 2013)

And Related Matter.

Case 12-03-017
(Filed March 14, 2012)
(CONSOLIDATED)

**OPPOSITION OF SIERRA PARK WATER COMPANY TO MOTION FOR
LEAVE TO FILE NEWLY ACQUIRED INFORMATION THAT SHOWS THAT THE
SIERRA PARK WATER COMPANY WAS NOT TRUTHFUL IN THEIR COMMENTS
FILED SEPTEMBER 8, 2015 AND NOVEMBER 19TH, 2015 WITH THE
COMMISSION**

Kirk M. Knudsen
President
Sierra Park Water Company
2614 Park Wilshire
San Jose, CA 95124
Telephone: (408) 269-8653
kirk.knudsen@creationtech.com

January 21, 2016

Pursuant to Rule 11.1(e) of the Commission’s Rules of Practice and Procedure, Sierra Park Water Company (“Water Company”) opposes the Motion Of Complainants For Leave To File Newly Acquired Information That Shows That The Sierra Park Water Company Was Not Truthful In Their Comments Filed September 8, 2015 And November 19, 2015 With The Commission. The motion should be immediately denied.

Complainants have, yet again, simply ignored applicable Commission rules. The motion is in reality an improperly named motion to set aside submission and reopen the record under Rule 13.14. Complainants have however failed to follow Rule 13.14. A motion to set aside and reopen must “specify the facts claimed to constitute grounds in justification thereof, including material changes of fact or of law alleged to have occurred since the conclusion of the hearing. It shall contain a brief statement of proposed additional evidence, and explain why such evidence was not previously adduced.” While the motion references two documents it asserts support allowing the documents to be filed, it does not state material changes in law or facts alleged to have occurred since submission. It also fails to briefly state the actual proposed additional evidence to be submitted, making substantive response impossible. This is particularly important because the title of the motion accuses the Water Company of falsehood.

The Water Company respectfully requests the Commission to deny the motion immediately. The Complainants’ history of ignoring the CPUC’s rules, after repeatedly being told by the ALJ not to do so, additionally warrants denying the motion with prejudice to filing it again.

Dated: January 21, 2016

Kirk Knudsen

 /s/ Kirk Knudsen
President
Sierra Park Water Company