



State Water Resources Control Board



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Arnold Schwarzenegger
Governor

JUN 12 2008

To: Enclosed List of Participants

HEARING TO CONSIDER A CEASE AND DESIST ORDER AGAINST CALIFORNIA AMERICAN WATER (CAL AM): DUE PROCESS OBJECTION BY CAL AM

On June 9, 2008, the California American Water Company (Cal Am) renewed its due process objection to the manner in which this proceeding is structured. More specifically, Cal Am contends that the Prosecution Team's reliance as a witness upon Kathy Mrowka, a member of the State Water Resources Control Board's (State Water Board) staff, demonstrates that the current proceeding is biased or has the appearance of being biased. Cal Am asks that this proceeding be restructured in some unspecified manner.

We believe the best way to resolve this issue is to proceed directly to hearing and deal with Cal Am's concerns during the course of the proceeding, including a ruling on any outstanding procedural issues when the State Water Board issues an order on the merits. Accordingly, the evidentiary hearing will commence on June 19, 2008 in accordance with our March 5, 2008 Notice of Hearing and our May 16, 2008 Rulings.

Should you have further questions in this matter, please contact Paul Murphey, Division of Water Rights Hearings Unit, (916) 341-5435 or PMurphey@waterboards.ca.gov; or Buck Taylor, Office of Chief Counsel, at BGTaylor@waterboards.ca.gov.

Sincerely,

Arthur G. Baggett, Jr.
Board Member and
Hearing Officer

Gary Wolff, P.E., Ph.D.
Vice Chair and
Hearing Officer

Enclosure

California Environmental Protection Agency

Recycled Paper

CALIFORNIA AMERICAN WATER CEASE AND DESIST ORDER
JUNE 19, 2008 HEARING
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