

From: Stoddard, F. Jackson
Sent: 2/4/2010 7:06:08 PM
To: dj0conklin@earthlink.net (dj0conklin@earthlink.net); Econome, Janet A. (janet.econome@cpuc.ca.gov); mthorp@sempra.com (mthorp@sempra.com)
nsuetake@turn.org (nsuetake@turn.org); deana.ng@sce.com (deana.ng@sce.com);
Cc: kgilbride@dralegal.org (kgilbride@dralegal.org); Sher, Nicholas (nms@cpuc.ca.gov); Smith, Bruce T (/O=PG&E/OU=Corporate/cn=Recipients/cn=BTS1); jmalkin@orrick.com (jmalkin@orrick.com); jwmitchell@mbartek.com (jwmitchell@mbartek.com); Martin, Hudson T (/O=PG&E/OU=CORPORATE/CN=RECIPIENTS/CN=HTM159232975); Fenrick, Alicia (Law) (/O=PG&E/OU=CORPORATE/CN=RECIPIENTS/CN=AWF9); j.eric.isken@sce.com (j.eric.isken@sce.com); Henry.Weissmann@mto.com (Henry.Weissmann@mto.com); John.Butler@sce.com (John.Butler@sce.com); Stock, William (/O=PG&E/OU=CORPORATE/CN=RECIPIENTS/CN=WCS3); Jordan, Lise (Law) (/O=PG&E/OU=Corporate/cn=Recipients/cn=LHJ2); karyn.gansecki@sce.com (karyn.gansecki@sce.com); Mary.Simpson@sce.com (Mary.Simpson@sce.com); Logan, Scott (sjl@cpuc.ca.gov); kanderson@dralegal.org (kanderson@dralegal.org)

Bcc:

Subject: *Confidential: RE: Re: Schedule and Confidentiality Agreement

10 to 1 it is then.

From: Thorp, Michael R.

To: 'dj0conklin@earthlink.net'; Econome, Janet A.

Cc: Stoddard, F. Jackson; Sher, Nicholas; 'nsuetake@turn.org'; 'Deana.Ng@sce.com'; 'kgilbride@dralegal.org'; 'awf9@pge.com'; 'BTS1@pge.com'; 'Henry.Weissmann@mto.com'; 'htm1@pge.com'; 'jmalkin@orrick.com'; 'John.Butler@sce.com'; 'jwmitchell@mbartek.com'; 'J.Eric.Isken@sce.com'; 'kanderson@dralegal.org'; 'Karyn.Gansecki@sce.com'; 'LHJ2@pge.com'; 'Mary.Simpson@sce.com'; Logan, Scott; 'WCS3@pge.com'

Sent: Thu Feb 04 17:12:50 2010

Subject: Re: *Confidential: RE: Re: Schedule and Confidentiality Agreement

Jack,

My personal preference would be to start at 10 and go until 1. I thought that is the approach we originally discussed. For meetings earlier than 10, I need to fly up the night before. Not impossible, just more of a hassle.

Regards, Mike

From: Diane Conklin <dj0conklin@earthlink.net>

To: Econome, Janet A. <janet.econome@cpuc.ca.gov>

Cc: Stoddard, F. Jackson <fjs@cpuc.ca.gov>; Sher, Nicholas <nms@cpuc.ca.gov>; Nina Suetake

<nsuetake@turn.org>; Deana.Ng@sce.com <Deana.Ng@sce.com>; Karla Gilbride <kgilbride@dralegal.org>; awf9@pge.com <awf9@pge.com>; Smith, Bruce T <BTS1@pge.com>; Henry.Weissmann@mto.com <Henry.Weissmann@mto.com>; Martin, Hudson T <htm1@pge.com>; jmalkin@orrick.com <jmalkin@orrick.com>; John.Butler@sce.com <John.Butler@sce.com>; jwmitchell@mbartek.com <jwmitchell@mbartek.com>; J.Eric.Isken@sce.com <J.Eric.Isken@sce.com>; Kaitlin Anderson <kanderson@dralegal.org>; Karyn.Gansecki@sce.com <Karyn.Gansecki@sce.com>; Jordan, Lise (Law) <LHJ2@pge.com>; Mary.Simpson@sce.com <Mary.Simpson@sce.com>; Thorp, Michael R.; Logan, Scott <sjl@cpuc.ca.gov>; Stock, William <WCS3@pge.com>; Diane Conklin <dj0conklin@earthlink.net>

Sent: Thu Feb 04 16:53:33 2010

Subject: Re: *Confidential: RE: Re: Schedule and Confidentiality Agreement

Jack,

I would prefer to start at 9:30 and go until lunch.

Diane

Econome, Janet A. wrote:

I am available all day and will make myself available at the times the group wishes. -Janet Econome

From: Stoddard, F. Jackson

Sent: Thursday, February 04, 2010 3:47 PM

To: Sher, Nicholas; 'Nina Suetake'

Cc: 'Deana.Ng@sce.com'; 'Karla Gilbride'; 'awf9@pge.com'; 'Smith, Bruce T'; 'Diane Conklin'; 'Henry.Weissmann@mto.com'; 'Martin, Hudson T'; 'jmalkin@orrick.com'; 'John.Butler@sce.com'; 'jwmitchell@mbartek.com'; 'J.Eric.Isken@sce.com'; 'Kaitlin Anderson'; 'Karyn.Gansecki@sce.com'; 'Jordan, Lise (Law)'; 'Mary.Simpson@sce.com'; 'Thorp, Michael R.'; Logan, Scott; 'Stock, William'; Econome, Janet A.

Subject: RE: *Confidential: RE: Re: Schedule and Confidentiality Agreement

All:

I reserved Room 5309 from 9 AM to 1 PM for February 11. Do people want to get started early, say 9:30, and go until lunch?

Jack

From: Sher, Nicholas

Sent: Wednesday, February 03, 2010 10:23 AM

To: Nina Suetake; Stoddard, F. Jackson

Cc: Deana.Ng@sce.com; Karla Gilbride; awf9@pge.com; Smith, Bruce T; Diane Conklin; Henry.Weissmann@mto.com; Martin, Hudson T; jmalkin@orrick.com; John.Butler@sce.com; jwmitchell@mbartek.com;

J.Eric.Isken@sce.com; Kaitlin Anderson; Karyn.Gansecki@sce.com; Jordan, Lise (Law); Mary.Simpson@sce.com; Thorp, Michael R.; Logan, Scott; Stock, William

Subject: RE: *Confidential: RE: Re: Schedule and Confidentiality Agreement

Likewise.

From: Nina Suetake [<mailto:nsuetake@turn.org>]

Sent: Wednesday, February 03, 2010 10:13 AM

To: Stoddard, F. Jackson

Cc: Deana.Ng@sce.com; Karla Gilbride; awf9@pge.com; Smith, Bruce T;

Diane Conklin; Henry.Weissmann@mto.com; Martin, Hudson T;

jmalkin@orrick.com; John.Butler@sce.com; jwmitchell@mbartek.com;

J.Eric.Isken@sce.com; Kaitlin Anderson; Karyn.Gansecki@sce.com; Jordan,

Lise (Law); Mary.Simpson@sce.com; Thorp, Michael R.; Sher, Nicholas;

Logan, Scott; Stock, William

Subject: Re: *Confidential: RE: Re: Schedule and Confidentiality Agreement

March 9th would be fine for me as well.

Nina Suetake

Staff Attorney

The Utility Reform Network

115 Sansome Street, 9th Floor

San Francisco, CA 94104

Phone: 415-929-8876 x 308

Fax: 415-929-1132

On Feb 3, 2010, at 9:49 AM, Stoddard, F. Jackson wrote:

march 9th works for me

From: Deana.Ng@sce.com [<mailto:Deana.Ng@sce.com>]

Sent: Wednesday, February 03, 2010 9:25 AM

To: Karla Gilbride

Cc: awf9@pge.com; Smith, Bruce T; Diane Conklin; Stoddard,

F. Jackson; Henry.Weissmann@mto.com; Martin, Hudson T;

jmalkin@orrick.com; John.Butler@sce.com;

jwmitchell@mbartek.com; J.Eric.Isken@sce.com; Kaitlin

Anderson; Karyn.Gansecki@sce.com; Jordan, Lise (Law);

Mary.Simpson@sce.com; Thorp, Michael R.; Sher, Nicholas;

Nina Suetake; Logan, Scott; Stock, William

Subject: *Confidential: RE: Re: Schedule and Confidentiality

Agreement

It looks like March 8 works for everyone, but that Diane would prefer the 9th, and it is not clear if the 9th is available for Jack. Jack, could we go ahead and schedule the third session for either March 8 or 9, so we can get it on our calendars? That would finalize the three dates as February 11, February 22 and either March 8 or 9.

Also, with respect to Diane Conklin's request to add the following to the confidentiality agreement:

We request that language be added to the Confidentiality Agreement, to wit: "Confidential written and electronic communications be clearly marked as "Confidential". If any written or electronic communication is inadvertently released without being marked confidential, the issuing party agrees to reissue such communication as confidential and receiving parties agree to destroy the unmarked communication upon request of the issuing party."

The Joint Utilities have no objection to including a provision that requires parties to use their best efforts to mark confidential communications and documents as "confidential." We do, however, think the above proposed mechanism for dealing with inadvertent failures to mark such documents confidential would potentially be overly burdensome to implement. In the interest of keeping the confidentiality agreement simple and easy to administer, The Joint Utilities proposes adding the following language at the end of the first bullet point in the confidentiality agreement as an alternative to Mussey Grade's proposal:

The parties shall use their best efforts to mark all such written and electronic communications as "Confidential" or with words of similar import. Failure to so mark such documents and communications, however, does not waive the confidential nature of the document or communication.

Deana Michelle Ng
Senior Attorney
Law Department
Southern California Edison
2244 Walnut Grove Ave.

Rosemead, CA 91770
Tel.: (626) 302-1936/PAX 21936
Fax: (626) 302-1935/PAX 21935
deana.ng@sce.com

From: "Karla Gilbride" <kgilbride@dralegal.org>
To: "Diane Conklin" <dj0conklin@earthlink.net>, <J.Eric.Isken@sce.com>
Cc: "Nina Suetake" <nsuetake@turn.org>, "Stoddard, F. Jackson" <FJS@cpuc.ca.gov>, <awf9@pge.com>, "Smith, Bruce T" <BTS1@pge.com>, <Deana.Ng@sce.com>, <Henry.Weissmann@mto.com>, "Martin, Hudson T" <html@pge.com>, <jmalkin@orrick.com>, <John.Butler@sce.com>, <jwmitchell@mbartek.com>, <Karyn.Gansecki@sce.com>, "Kaitlin Anderson" <kanderson@dralegal.org>, "Jordan, Lise (Law)" <LHJ2@pge.com>, <Mary.Simpson@sce.com>, "Thorp, Michael R." <MThorp@Sempra.com>, "Sher, Nicholas" <nms@cpuc.ca.gov>, "Logan, Scott" <sjl@cpuc.ca.gov>, "Stock, William" <WCS3@pge.com>
Date: 02/02/2010 04:28 PM
Subject: RE: *Confidential: Re: Schedule and Confidentiality Agreement

Any of the proposed dates in March would work for me, and as I said earlier, February 11 and 22 are also fine.

I am attaching versions of both the status report and the confidentiality agreement with very minor revisions. With the exception of adding Diane's proposed language about designating documents confidential, none of these modifications are substantive.

Thanks,
Karla

From: Diane Conklin [<mailto:dj0conklin@earthlink.net>]
Sent: Tuesday, February 02, 2010 12:23 PM
To: J.Eric.Isken@sce.com
Cc: Nina Suetake; Stoddard, F. Jackson; awf9@pge.com; Smith, Bruce T; Deana.Ng@sce.com; Henry.Weissmann@mto.com;

Martin, Hudson T; jmalkin@orrick.com; John.Butler@sce.com;
jwmitchell@mbartek.com; Karyn.Gansecki@sce.com; Kaitlin
Anderson; Karla Gilbride; Jordan, Lise (Law);
Mary.Simpson@sce.com; Thorp, Michael R.; Sher, Nicholas;
Logan, Scott; Stock, William; Diane Conklin
Subject: Re: *Confidential: Re: Schedule and Confidentiality
Agreement

February 11th and February 22nd are fine. All other dates, with
the exception of March 5th, are good for both Joe and myself.

We would prefer March 9 for the third meeting date, in order to
combine with another San Francisco workshop on March 10-12
in R.08-11-005, as we are traveling from San Diego.

Joe will be attending at least the February meetings by phone
bridge and I would like to get a confirmation that a phone bridge
will be available.

Thank you for your help on the dates.

Diane

Diane Conklin
Spokesperson
Mussey Grade Road Alliance
P.O. Box 683
Ramona, CA 92065
(760) 787 - 0794 T
(760) 788 - 5479 F
dj0conklin@earthlink.net

Nina Suetake wrote:

Feb 11 is fine for me, but I am now unavailable on the 22nd until
11am. I could possibly cut out of a conference call early and be
available at 10:30.

-Nina

Nina Suetake
Staff Attorney
The Utility Reform Network
115 Sansome Street, 9th Floor
San Francisco, CA 94104

Phone: 415-929-8876 x 308
Fax: 415-929-1132

On Feb 2, 2010, at 11:14 AM, Stoddard, F. Jackson wrote:

All:

I agree with moving forward as scheduled on the 11th and the 22nd. March 5th or 8th works best for me for the third meeting.

Jack
Jack Stoddard
Attorney
California Public Utilities Commission
(415) 703-5888

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From: J.Eric.Isken@sce.com [<mailto:J.Eric.Isken@sce.com>]
Sent: Monday, February 01, 2010 4:31 PM
To: Stoddard, F. Jackson
Cc: awf9@pge.com ; Smith, Bruce T; Deana.Ng@sce.com ; dj0conklin@earthlink.net ; Henry.Weissmann@mto.com ; Martin, Hudson T; jmalkin@orrick.com ; John.Butler@sce.com ; jwmitchell@mbartek.com ; Karyn.Gansecki@sce.com ; kauderson@dralegal.org ; Karla Gilbride; Jordan, Lise (Law); Mary.Simpson@sce.com ; Thorp, Michael R.; Sher, Nicholas; nsuetake@turn.org ; Logan, Scott; Stock, William
Subject: *Confidential: Re: Schedule and Confidentiality Agreement

All:

I wanted to reply on behalf of the IOUs with respect to a couple of meet and confer-related matters.

First, as far as dates, in view of Diane's unavailability March 1, we propose to go forward on February 11 and February 22 (both dates seem to be OK with everyone). As for a third date, we propose either March 2, 5, 8, 9 or 15.

We also enclose a draft joint status report for filing on or before February 4 as required by the Assigned Commissioner-ALJ ruling. Please let Deana Ng know of any comments ASAP.

Finally, we are basically in agreement with the mediation confidentiality agreement circulated by Jack. We have a couple of minor changes as shown on the attached.

Eric Isken
GO-1, Quad 3-B, #337-A
PAX 23141
Phone: 626-302-3141
Cell: 818-312-3214
Fax: 626-569-4135
email: j.eric.isken@sce.com

From: "Stoddard, F. Jackson" <fjs@cpuc.ca.gov>
To: "Sher, Nicholas" <nms@cpuc.ca.gov>, <kauderson@dralegal.org>, "Econome, Janet A." <jjj@cpuc.ca.gov>, <kgilbride@dralegal.org>, "Logan, Scott" <sjl@cpuc.ca.gov>, <dj0conklin@earthlink.net>, <jwmitchell@mbartek.com>, "Weissmann, Henry" <Henry.Weissmann@mto.com>, <jmalkin@orrick.com>, "Fenrick, Alicia (Law)" <AWF9@PGE.COM>, "Jordan, Lise (Law)" <LHJ2@PGE.COM>, "Martin, Hudson T" <html@PGE.COM>, "Smith, Bruce T" <BTS1@PGE.COM>, "Stock, William" <WCS3@PGE.COM>, <John.Butler@sce.com>, <Karyn.Gansecki@sce.com>, <

J.Eric.Isken@sce.com >, < deana.ng@sce.com >, < mary.simpson@sce.com >, < nsuetake@turn.org >, "Thorp, Michael R." < MThorp@Sempra.com >

Date: 01/29/2010 04:42 PM

Subject: Schedule and Confidentiality Agreement

My apologies to those of you that are receiving this email twice. We've been having internet problems today and it appears the first attempt didn't make it through to everyone.

All:

At the end of wednesday's meeting we agreed to meet three more times over the next couple months. Everyone agreed that February 11, 18, 22 March 1st, and March 17 were possible meeting dates. I checked with our mediator, Janet Econome and the only conflict she has is March 17. Would either March 10 or March 24, both wednesdays, work for others?

Also, I've attached a redlined confidentiality agreement. Please let me know if its acceptable.

Jack

Jack Stoddard
Attorney
California Public Utilities Commission
(415) 703-5888

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From: Jordan, Lise (Law) [<mailto:LHJ2@PGE.COM>]
Sent: Friday, January 29, 2010 10:31 AM
To: Jordan, Lise (Law); Sher, Nicholas; kauderson@dralegal.org ;
Econome, Janet A.; kgilbride@dralegal.org ; Logan, Scott;
Stoddard, F. Jackson; Diane Conklin; jwmitchell@mbartek.com ;
Weissmann, Henry; Malkin, Joseph; Fenrick, Alicia (Law);
Martin, Hudson T; Smith, Bruce T; Stock, William;
John.Butler@sce.com ; Karyn.Gansecki@sce.com ;
J.Eric.Isken@sce.com ; Deana.Ng@sce.com ;
Mary.Simpson@sce.com ; nsuetake@turn.org ; Thorp, Michael
R.; van der Leeden, Ronald
Subject: RE: Meeting Attendance List

Please add Ronald van der Leeden to the list. He is with SDG&E/SoCalGas, and his e-mail address is RvanderLeeden@semprautilities.com.

Thanks,

Lise H. Jordan
415-973-6965

From: Jordan, Lise (Law)
Sent: Friday, January 29, 2010 8:56 AM
To: nms@cpuc.ca.gov ; kauderson@dralegal.org ;
jjj@cpuc.ca.gov ; kgilbride@dralegal.org ; sjl@cpuc.ca.gov ;
fjs@cpuc.ca.gov ; Diane Conklin; jwmitchell@mbartek.com ;
Weissmann, Henry; Malkin, Joseph; Fenrick, Alicia (Law);
Martin, Hudson T; Smith, Bruce T; Stock, William;
John.Butler@sce.com ; Karyn.Gansecki@sce.com ;
J.Eric.Isken@sce.com ; Deana.Ng@sce.com ;
'Mary.Simpson@sce.com' ; 'nsuetake@turn.org'; 'Thorp,
Michael R.'

Subject: Meeting Attendance List

Here is the attendance list from the January 27, 2010 Meet and Confer. Please let me know if there are any errors.

Thanks,

Lise H. Jordan
415-973-6965

Sher, Nicholas CPSD nms@cpuc.ca.gov

Auderson, Kaitlin Disability Rights Advocates
kauderson@dralegal.org
Econome, Janet Neutral Facilitator jjj@cpuc.ca.gov
Gilbride, Karla Disability Rights Advocates
kgilbride@dralegal.org
Logan, Scott DRA sjl@cpuc.ca.gov
Stoddard, Jackson DRA fjs@cpuc.ca.gov

Conklin, Diane MGRA dj0conklin@earthlink.net
Mitchell, Joseph MGRA jwmitchell@mbartek.com

Weissmann, Henry Munger Tolles-SCE
henry.weissmann@mto.com

Malkin, Joseph M. Orrick-SDG&E/SoCalGas
jmalkin@orrick.com

Fenrick, Alicia PG&E awf9@pge.com
Jordan, Lise PG&E lhj2@pge.com
Martin, Hudson PG&E html@pge.com
Smith, Bruce T. PG&E bts1@pge.com
Stock, Bill PG&E wcs3@pge.com

Butler, John SCE john.butler@sce.com
Gansecki, Karyn SCE karyn.gansecki@sce.com
Isken, Eric SCE j.eric.isken@sce.com
Ng, Deana Michelle SCE deana.ng@sce.com
Simpson, Mary SCE mary.simpson@sce.com
Suetake, Nina TURN nsuetake@turn.org
Thorp, Mike SDG&E/SoCalGas mthorp@sempra.com
[attachment "WEBA mediation confidentiality
agreement_FJS.doc" deleted by J Eric Isken/SCE/EIX]

[attachment "LAW-#1701002-v2-Joint_Status_Report_DisabRA
edits.DOC" deleted by Deana Ng/SCE/EIX] [attachment "WEBA
mediation confidentiality agreement_jei FJS DisabRA (2010-02-
02).doc" deleted by Deana Ng/SCE/EIX]

