

From: Michael Aguirre
Sent: 6/30/2010 6:44:17 PM
To: 'Weissmann, Henry' (Henry.Weissmann@mto.com); 'Econome, Janet A.' (janet.econome@cpuc.ca.gov)
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Bcc:
Subject: RE: A.09-08-020 - Mediation

Dear Judge Econome: I am in receipt of the email Mr. Weissman wrote apparently on behalf of DRA, CPSD, TURN, and Disability Rights Advocates. I was given no notice that Mr. Weissman intended to engage in ex parte communications with the Court. The proceedings before your honor were by way of the Ruling by the assigned Administrative Law Judge and PUC Commissioner. The applicants were directed to file an amended application. The ruling is unambiguous in directing the applicants to so prepare and file an amended application. If the applicants seek relief from the ruling or confidentiality agreement that should be done by noticed motion.

There is no good cause for granting Mr. Weissman's request. The desire of the applicants to have ex parte communications with the "decision-makers" does not constitute good cause. Rather, proper due process procedures should be followed. The applicants should file their amended application incorporating the directives of the Ruling. This will allow the assigned Administrative Law Judge to hold a meaningful Pre-Hearing Conference. Discovery should commence on the factual claims of the

applicants that there is an urgent insurance crisis. The Parties can narrow the issues, develop an adequate record and get the case resolved.

Accordingly, Ms. Henricks respectfully submits the request should be denied. Michael J. Aguirre

From: Weissmann, Henry [mailto:Henry.Weissmann@mto.com]

Sent: Wednesday, June 30, 2010 5:12 PM

To: Econome, Janet A.

Cc: dj0conklin@earthlink.net; kgilbride@dralegal.org; j.eric.isken@sce.com; lhj2@pge.com; Logan, Scott; jmalkin@orrick.com; htm1@pge.com; mary.simpson@sce.com; bts1@pge.com; Stoddard, F. Jackson; nsuetake@turn.org; mthorp@sempra.com; maguirre@amslawyers.com; mseverson@amslawyers.com; wcs3@pge.com; LHJ2@PGE.COM; Deana.Ng@sce.com; kauderson@dralegal.org; jwmitchell@mbartek.com; awf9@pge.com; wcs3@pge.com; john.butler@sce.com; Kevin Christensen; Maria Byrnes; Deana.Ng@sce.com; Karyn.Gansecki@sce.com; van der Leeden, Ronald; Stock, William

Subject: RE: A.09-08-020 - Mediation

Dear Judge Econome:

I am writing to provide you an update on the mediation in A. 09-08-020.

Based on our session on May 24, and further communications with the parties, it appears that the mediation process has run its course, at least for now. Accordingly, the utilities have turned their attention to the preparation of an amended application, which they expect to file in July.

In light of these developments, we would request that you declare the mediation period concluded.

Such a declaration would relieve the parties of the prohibition imposed by the mediation agreement on communications with decision-makers during the mediation period.

DRA, CPSD, TURN, and Disability Rights Advocates have stated that they do not oppose this request. Mussey Grade Road Alliance and Ruth Henricks oppose this request.

Thank you for help in the mediation process and for your consideration of this request.

Henry Weissmann | Munger, Tolles & Olson LLP

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From: Econome, Janet A. [mailto:janet.econome@cpuc.ca.gov]
Sent: Wednesday, May 26, 2010 3:16 PM
To: Weissmann, Henry
Cc: dj0conklin@earthlink.net; kgilbride@dralegal.org; j.eric.isken@sce.com; lhj2@pge.com; Logan, Scott; jmalkin@orrick.com; htm1@pge.com; mary.simpson@sce.com; bts1@pge.com; Stoddard, F. Jackson; nsuetake@turn.org; mthorp@sempra.com; maguirre@amslawyers.com; mseverson@amslawyers.com; wcs3@pge.com; LHJ2@PGE.COM; Deana.Ng@sce.com; kauderson@dralegal.org; Stoddard, F. Jackson; jwmitchell@mbartek.com; awf9@pge.com; wcs3@pge.com; john.butler@sce.com; Kevin Christensen; Maria Byrnes
Subject: RE: A.09-08-020 - Mediation

To the parties in Application 09-08-020:

Given that mediation is a voluntary process, I will cancel the June 1 mediation session currently scheduled in the above case. Please let me know if the group wishes to participate in a further session and if so, available dates. If not, please report back to the assigned ALJ in the timeframe directed by her latest ruling.

Also, I am hopeful that this email is sent to the most current service list of the mediators. However, to be sure, I will also copy and forward this note to what I think is the latest list. If anyone is inadvertently omitted, please let me know and also please forward this note to that person.

Thank you, Janet Econome

From: Weissmann, Henry [mailto:Henry.Weissmann@mto.com]
Sent: Tuesday, May 25, 2010 8:35 PM
To: Econome, Janet A.
Cc: dj0conklin@earthlink.net; kgilbride@dralegal.org; j.eric.isken@sce.com; lhj2@pge.com; Logan, Scott; jmalkin@orrick.com; htm1@pge.com; mary.simpson@sce.com; bts1@pge.com; Stoddard, F. Jackson; nsuetake@turn.org; mthorp@sempra.com; maguirre@amslawyers.com; mseverson@amslawyers.com; wcs3@pge.com; LHJ2@PGE.COM; Deana.Ng@sce.com; kauderson@dralegal.org; Stoddard, F. Jackson; jwmitchell@mbartek.com; awf9@pge.com; wcs3@pge.com; john.butler@sce.com; Kevin Christensen; Maria Byrnes
Subject: A.09-08-020 - Mediation

Dear Judge Econome and Parties

The utilities believe that the all-party mediation scheduled for June 1 should be cancelled.

Henry Weissmann | Munger, Tolles & Olson LLP

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