

From: Cherry, Brian K
Sent: 9/24/2010 4:37:51 PM
To: 'paul.clanon@cpuc.ca.gov' (paul.clanon@cpuc.ca.gov)
Cc:
Bcc:
Subject: Re: Bills ATTORNEY-CLIENT PRIVILEGED COMMUNICATION

Thx. That's what I told Tom but he thought otherwise.

----- Original Message -----

From: Clanon, Paul <paul.clanon@cpuc.ca.gov>
To: Cherry, Brian K
Sent: Fri Sep 24 16:21:11 2010
Subject: FW: Bills ATTORNEY-CLIENT PRIVILEGED COMMUNICATION

Some things about the PUC are eternal.

-----Original Message-----

From: Perlstein, Joel T.
Sent: Friday, September 24, 2010 3:38 PM
To: Lindh, Frank; Myers, Richard A.
Cc: Clanon, Paul; Kahlon, Gurbux; Aguilar, Arocles
Subject: RE: Bills ATTORNEY-CLIENT PRIVILEGED COMMUNICATION

The Applicable Energy Industry Rule states the following:

7.1 Generally

After a Utility enters into a Contract or other deviation, the Utility shall submit an advice letter requesting approval and updating its list of Contracts and other deviations (see General Rule 8.5.6). The Contract shall contain substantially the following clause: "Unless otherwise expressly ordered by the California Public Utilities Commission, this Contract at all times shall be subject to such modifications as the Commission may direct from time to time in the exercise of its jurisdiction." In addition, except for a Contract that is authorized to be submitted pursuant to Industry Rule 5.1(4) or 5.3(8), [NOT APPLICABLE HERE] the Contract shall contain substantially the following clause: "This Contract does not become effective unless and until approved by the California Public Utilities Commission."

Accordingly, the technical answer is that they need to file an AL, for Commission approval by resolution. However, I do not see any bar to having what the Commission approves apply to all service starting as of the date of the explosion (or even some earlier date) so long as the shortfall is picked up by shareholders. If they start sending \$0 bills in the meantime, pending approval of the AL, I can't imagine that anyone will seek to ding them for it. Since this would be a deviation, not a contract, the language that is required to be in the contract under the Industry Rule would not have to be given to the affected ratepayers.

-----Original Message-----

From: Lindh, Frank
Sent: Friday, September 24, 2010 2:19 PM
To: Myers, Richard A.
Cc: Clanon, Paul; Lindh, Frank; Kahlon, Gurbux; Perlstein, Joel T.;
Aguilar, Arocles
Subject: Re: Bills

Copying Joel and Arocles, for the requested legal input.

Thanks, all!

Frank

On Sep 24, 2010, at 2:12 PM, "Myers, Richard A."
<richard.myers@cpuc.ca.gov > wrote:

> I think they should file an advice letter that requests a tariff
> deviation and states how the undercollection will be handled.
>
> I think they technically need to file a Tier 3 advice letter, which
> requires a resolution. We would need some Legal guidance on how we
> can quickly approve the AL, hopefully without a resolution.

> -----Original Message-----

> From: Fitch, Julie A.
> Sent: Friday, September 24, 2010 2:00 PM
> To: Clanon, Paul; Lindh, Frank
> Cc: Kahlon, Gurbux; Myers, Richard A.
> Subject: RE: Bills

> My initial reaction is to tell them to just do it, and deal with the
> bureaucratic rigamarole later (or not at all), but I'm copying Gurbux
> and Richard so they can talk me out of this view, if needed.

> Julie

> -----Original Message-----

> From: Clanon, Paul
> Sent: Friday, September 24, 2010 9:15 AM
> To: Lindh, Frank; Fitch, Julie A.
> Subject: FW: Bills

> PG&E wants to comp the bills of affected San Bruno residents, on the
> shareholders. Can we have a lawyer work with someone in Gurbux's shop
> (or whoever you think is right, Julie) to come up with a process for a

> tariff deviation, or whatever might be necessary? Or can they just do

> it?

> I said I'd get back to them later today. Thx.

> -----Original Message-----
> From: Cherry, Brian K [<mailto:BKC7@pge.com>]
> Sent: Friday, September 24, 2010 7:58 AM
> To: Clanon, Paul
> Subject: FW: Bills
>
>
> Procedural issue. We want to go ahead and give impacted San Bruno
> residents a credit - so that they don't have to pay bills through
> year-end. Can we go ahead and do this internally and then charge
> costs below the line or do we need to file some for of Advice Letter
> asking for an exception ? Any thoughts ?
>
>

> -----Original Message-----
> From: Simon, John
> Sent: Friday, September 17, 2010 11:39 AM
> To: Bottorff, Thomas E; Pruett, Greg S.
> Subject: Re: Bills
>
> How do we make it happen
>
>

> ----- Original Message -----
> From: Bottorff, Thomas E <TEB3@pge.com>
> To: Simon, John; Pruett, Greg S.
> Sent: Fri Sep 17 11:31:21 2010
> Subject: RE: Bills
>
> Good idea.
> Tom

> -----Original Message-----
> From: Simon, John
> Sent: Friday, September 17, 2010 8:46 AM
> To: Pruett, Greg S.; Bottorff, Thomas E
> Subject: FW: Bills
>
> We might cover costs through end of the year as an idea
>
>

> John R. Simon
> Senior Vice President
> PG&E Corporation
> Human Resources
>
> 415 267 7136
> 415 412 6781 (m)
>
>

> -----Original Message-----
> From: Torres, Albert [<mailto:AFT1@pge.com>]
> Sent: Thursday, September 16, 2010 12:33 PM
> To: Simon, John
> Subject: RE: Bills

>
> Current plan is to give them a bill with \$0.00 due at the next billing

> cycle and start them on a normal cycle from there. There are
> currently discussions around several longer term options such as
> continue to zero out their bill every month for the rest of the year,
> place a fixed credit on their bill (say, \$5000) that would be worked
> down every month and it lasts until it gets zeroed out by usage, etc.
> No decision has been made yet on which method we might go with.
>
>
> Al Torres
> Vice President, Customer Operations
> 415-973-8440
>
>
> -----Original Message-----
> From: Simon, John
> Sent: Thursday, September 16, 2010 12:29 PM
> To: Torres, Albert
> Subject: Bills
>
> Hi al
> Is it still companies position that we are giving customers a credit
> for the sept bill? And not more?
>
>
>

No virus found in this incoming message.
Checked by AVG - www.avg.com
Version: 8.5.445 / Virus Database: 271.1.1/3147 - Release Date: 09/24/10
06:34:00