

From: Clanon, Paul
Sent: 12/9/2010 4:47:05 PM
To: Cherry, Brian K (/O=PG&E/OU=CORPORATE/CN=RECIPIENTS/CN=BKC7)
Cc:
Bcc:
Subject: RE:

Joel has spoken.

From: Cherry, Brian K [mailto:BKC7@pge.com]
Sent: Thursday, December 09, 2010 4:47 PM
To: Clanon,
Paul
Subject: RE:

Interesting theory. As long as it holds up under procedural review....

From: Clanon, Paul
[mailto:paul.clanon@cpuc.ca.gov]
Sent: Thursday, December 09, 2010
4:44 PM
To: Cherry, Brian K
Subject: RE:

Not a problem for other reasons, according to Legal Division.
Statute is ambiguous, and as a general principle no one Commissioner can prevent the full Commission from acting on an item that has been properly presented.

From: Cherry, Brian K [mailto:BKC7@pge.com]

Sent: Thursday, December 09, 2010 4:43 PM
To: Clanon,
Paul
Subject:

FYI

PU Code Section 311(e) and Rule 14.6 allow for reduction or waiver of review under specific circumstances. Rule 14.6(a)(8) -- "unusual matters that cannot be disposed of by normal procedures if the duties of the Commission are to be fulfilled" -- as a basis to vote without the normal 30-day review period.