



**Pacific Gas and
Electric Company™**

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March 10, 2011

**VIA ELECTRONIC
(fnh@cpuc.ca.gov)
AND
FIRST-CLASS MAIL**

Frederick Harris, Esq.
California Public Utilities Commission
505 Van Ness Ave.
San Francisco, CA 94102

Re: PG&E's Redaction of Employee Names - Consumer Protection Safety
Division's Data Request Regarding the On-Line Activity of
Former PG&E SmartMeter™ Director William Devereaux

Dear Mr. Harris:

This letter is in response to your February 22, 2011 electronic communication to Lise Jordan regarding PG&E's submission of redacted documents in response to Consumer Protection Safety Division's (CPSD) Data Request regarding the on-line activity of former PG&E SmartMeter™ Director William Devereaux. PG&E appreciates the opportunity to articulate the basis for its redaction of employee names on the responsive documents.

Your letter addresses two areas of concern related to PG&E's redaction of the responsive documents: 1) PG&E's redaction of PG&E employee names without also redacting names of non-PG&E employees; and 2) PG&E's redaction of all employee names as distinct from a more narrowly defined subgroup of PG&E employees. I will address each of these concerns.

PG&E's redaction practice with respect to employee names is based on careful consideration of the totality of the circumstances including PG&E's legal obligations to maintain employee privacy and to maintain a safe work environment for its employees. Consistent with this policy, PG&E determined that for this SmartMeter™-related data submission, there was a strong and compelling safety-related basis to redact all employee names from the documents. Over the last year, PG&E employees and some customers have been the subject of escalating threats and acts of violence by some ant-SmartMeter™ activists. In one instance, a PG&E employee who attended a SmartMeter™ outreach event was later contacted at home by one of the attendees.

PG&E is prepared to submit employee declarations under penalty of perjury demonstrating that some employees are fearful for their safety and the safety of their families due to verbal abuse

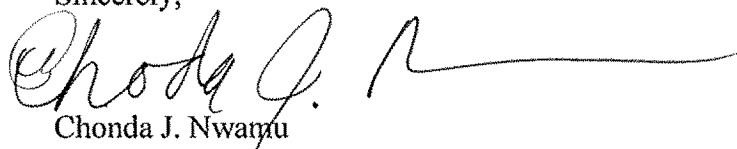
and threats of physical violence directed toward them and other PG&E employees. In light of this extraordinary climate within which organized protestors and individuals have made verbal threats and even engaged in some combative conduct due to an anti-SmartMeter™ sentiment, it would be irresponsible for PG&E to make available to the public the names of its employees working on its SmartMeter™ Program.

Further, given that the CPUC has complete unredacted access to the documents, there does not appear to be a legitimate public interest served by additionally disclosing employee names to the public given the hostile, anti-SmartMeter™ environment. The California Public Records Act exempts from disclosure certain information where the public interest served by not disclosing the information clearly outweighs the public interest served by its disclosure. Cal. Gov. Code § 6255(a). PG&E has attached to this letter two logs documenting the escalation in verbal threats and general climate of hostility directed toward PG&E employees associated with the SmartMeter™ Program. The first log documents the specific activities of EMF Network and Stop SmartMeters. (*See Attachment 1*). The second log is PG&E's Corporate Security record of threats and other anti-SmartMeter activity related to meter deployment. (*See Attachment 2, Confidential per § 583¹*). Based on the specific facts of this case, the public interest in the safety of PG&E employees and contractors outweighs the public interest that would be served by disclosure of employee names. Consistent with the public interest exemption included as part of the Public Records Act, PG&E concluded it had an obligation to redact all employee names from the documents given the threats targeted to its employees working on the SmartMeter™ Project.

To address your additional concern regarding what you characterize as a "one-sided" redaction policy, PG&E's legal obligation to protect employee privacy and maintain a safe work environment does not extend beyond its employees. With that said, as a courtesy, PG&E considered redacting all individual names from the documents. However, PG&E did not redact the names of the anti-SmartMeter™ individuals because their names appeared on documents copied from various *publicly-accessible* anti-SmartMeter™ blogs, posts and websites. Given that these individuals' names were already in the public space (unlike the PG&E and CPUC employee names), there was no basis to redact the names.

I hope this letter addresses your concerns. Feel free to contact me with any additional questions or concerns.

Sincerely,



Chonda J. Nwanjuzi

CJN/mbs

Attachments

¹ Attachment 3, Corporate Security Investigation Log, includes the names of customers and, therefore, PG&E is submitting this Attachment as Confidential pursuant to Public Utilities Code Section 583.

ATTACHMENT 1

Log of EMF Network/Stop Smart Meters Organization Actions

Category 1: Incidents related to Wellington and PG&E SmartMeter™ installers

| Date/Time | Location | Description |
|------------------|--------------------------------|---|
| 7/26/10 | Scotts Valley | Josh Hart video tapes and follows a WEI Exchanger in the field. Places video on public Internet. |
| 7/27/10 | Scotts Valley | Josh Hart follows and video tapes a WEI Exchanger in the field. Places video on public Internet. |
| 8/26/10 | Santa Cruz Crossdock | Protest at Crossdock preventing trucks from leaving yard. Police at scene, no arrests made. |
| 8/27/10 | Santa Cruz Crossdock | Protest at Crossdock preventing trucks from leaving yard. Police at scene, no arrests made. |
| 8/30/10 | Santa Cruz Crossdock | Protest at Crossdock preventing trucks from leaving yard. Police at scene, no arrests made. |
| 10/28/10 | Santa Rosa Crossdock | Protest at Crossdock. WEI had moved to another location (Napa Crossdock). |
| 11/2/10 | Stinson Beach | Protesters block public road; Wellington leaves scene. |
| 11/22/10 | Santa Rosa Crossdock | Protest at Crossdock preventing trucks from leaving yard. Police on scene, no arrests made. |
| 12/27/10 | Inverness | Confrontation in field with WEI employee and protestor. |
| 12/29/10 | Inverness | Large group of protesters blocking Sir Frances Drake Blvd. Police at scene and arrest protesters who are creating a public safety hazard. |
| 1/11/11 | Santa Rosa Crossdock | Protest at Crossdock preventing trucks from leaving yard. Police at scene, no arrests made. |
| 3/2/11 | San Francisco, Marina district | Protesters surround Wellington truck. Police at scene, no arrests made. |

ATTACHMENT 1

Category 2: Incidents related to PG&E's Presence at Public City Council Meetings

| Date/Time | Location | Description |
|-----------|----------|--|
| 9/15/10 | Fairfax | PG&E representatives attended a "Listening Meeting", where Fairfax residents had an opportunity to voice their concerns in an open forum. Per the City Council's request, PG&E was prohibited from speaking at this event; rather, representatives were asked to remain silent. The passionate and often hostile crowd of approximately 75 people heckled PG&E employees. |
| 9/29/10 | Fairfax | Town of Fairfax hosted a special community meeting to allow PG&E representatives the opportunity to respond to the nearly one hundred SmartMeter-related questions raised at the open-mic "Listening Meeting" on 9/15. The passionate and often hostile crowd heckled PG&E employees. |
| 11/30/10 | Fairfax | Town of Fairfax hosted a third community meeting to allow PG&E representatives the opportunity to respond to the nearly one hundred SmartMeter-related questions raised at the open-mic "Listening Meeting" on 9/15. A second session was required to answer all of the questions that were posed. In approximately 5 instances, participants asked PG&E employees in the audience to identify themselves. When the PG&E employees did so, the residents directed threatening comments at them, including that the PG&E employees should be "tried and executed for capital murder" and that anti RF supporters would "defend their homes by any means necessary". |

ATTACHMENT 1

| Date/Time | Location | Description |
|-----------|------------|---|
| 2/15/11 | Sebastopol | <p>PG&E representatives attended a Sebastopol City Council meeting where the Council was reconsidering a SmartMeter moratorium ordinance. PG&E representatives were ridiculed by the hostile crowd. When the City did not enact an ordinance against SmartMeters, the crowd became incensed, shouting from their seats. PG&E representatives were concerned for their personal safety, and were taunted by comments such as: "the only thing stopping PG&E from installing SmartMeter on my house is my shotgun." The Sebastopol Police Chief was in attendance and advised the PG&E representatives not to leave the building because he feared for their safety. He abruptly brought an Officer in to help them exit.</p> |
| 3/1/11 | Monterey | <p>At a Monterey public City Council meeting, PG&E representatives and a council member were verbally threatened by EMF Network members. One individual stated to a council member that she "should just shoot you and the people from PG&E" and was escorted from the Council Chamber. Following that, an EMF Network protestor spit at PG&E representatives and called one of them a "child molester."</p> |

ATTACHMENT 1

Category 3: Incidents related to protests of the EMF Network/Stop SmartMeters Organization at PG&E Neighborhood Payment Centers.

| Date/Time | Location | Description |
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| 12/09/10 | PG&E Customer Service Office, Santa Rosa | 15-20 protestors from EMF Network Group block entrance to door, preventing customers from accessing PG&E services and creating a safety hazard. PG&E closes office. |
| 12/13/10 | PG&E Customer Service Office, Santa Rosa | 15-20 protestors from the EMF Network took over the Santa Rosa Customer Service Center. Protesters eventually left the interior of the center and blocked the doorway. Santa Rosa police responded, no arrests made. PG&E video tape captured the event. |
| 12/14/10 | PG&E Customer Service Office, San Rafael | San Rafael Customer Service office was overwhelmed by 15-20 EMF Network protestors. Protesters left the office and blocked the doorway. San Rafael Police Department and PG&E Corporate Security responded. No arrests were made. PG&E customer who was trying to get inside was physically pushed by protestors. Video of this ran on broadcast news KTVU. |
| 12/15/10 | PG&E Customer Service Office, Capitola | EMF Network Protest closed office down from 10 am – 2 pm. Initially 5 protestors, but reduced to 3 after first hour. Protesters blocked the entrance with signage. |

Category 4: Inflammatory Statements on Website www.stopsmartmeters.org which are directed toward PG&E employees:

Samples include:

“PG&E Investors Still Cashing In- Perhaps We Need to Bring Cairo to Beale St”

SICK From SMARTMETERS says:

March 1, 2011 at 8:15 am

ATTACHMENT 1

Excellent!! Lucky people, who have managed to keep CRIMINALS from TAMPERING with their meters, that are safe and work perfectly fine. Lucky people that not to be blasted with radiation 24 hours a day from CRIMINAL SMART METERS!!

The chains and locks need to also be wrapped on the CRIMINALS at PG&E, the CPUC, and Wellington Energy for DEPLOYING RADIATION EMITTING DEVICES on OUR HOMES AGAINST OUR WILL, WITHOUT our CONSENT, slowly KILLING our BABIES, CHILDREN, PETS, AND FAMILY!!!! WE DEMAND AN OPT_OUT NOW!!!

THESE CRUEL PEOPLE need to be locked behind bars, until they learn that it is a WAR CRIME to expose innocent people to non-stop , close range, MICROWAVE RADIATION on our homes!!!

GO TO HELL to ANYONE THAT TRIES TO PUT ANOTHER SMART METER ON ANYONE'S HOME.

ANYONE THAT PUT A SINGLE SMART METER on a home, should step up, and begin removing them.

Smart Meter Protesters Pack CPUC Meeting

Posted on February 25, 2011 by onthelevelblog

http://stopsmartmeters.files.wordpress.com/2011/02/img_3773.jpg

I have another list that also grows longer every day. It is a list of people willing to take personal direct action to stop this insanity. –Josh Hart

Terry L. Clark says:

February 16, 2011 at 9:01 pm

Pillage and Greed...and if that doesn't work. Execute. PG&E...

3 Responses to *Why Stop Smart Meters?*

1.  *Alvin Horn* says:
-

ATTACHMENT 1

February 15, 2011 at 6:02 pm

If Wellington/pg&e comes to my home to install, I will not even order them off my property. I will immediately arrest them and hold them until police come to haul them to jail and impound their vehicles. Trespassers with radiation devices beware and be very afraid.



Pacific Gas and Electric Company

Chronological Log of Investigation

87-167 7/89
Corporate Security

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|---|---|
| Case Number 10-1937 | Type of Complaint Miscellaneous: Complaint Type |
| Assigned Security Representative General, Cases | Date Assigned 11/12/2010 |

| Date | Time | Activity | Last Mod | Last Mod Date |
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