

From: Cooke, Michelle
Sent: 3/13/2012 4:53:32 PM
To: Stavropoulos, Nickolas
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Bcc:
Subject: Thanks and some ideas and requests

Nick- thanks for your participation at the symposium Wednesday. I found it very interesting and helpful.

I wanted to let you know about something that we continue to hear that may be historical but certainly raises concerns. Specifically it is that supervisors have an incentive to downgrade leaks from Grade 1 or 2+ to lower levels and push employees to downgrade. I can't tell whether this is a continuing issue, but it was raised again to me just recently by some whistleblower contact information I received from my staff. An idea that you may already be considering is that it seems there is no mechanism provided for an outside entity to arbitrate a difference of opinion where a supervisor wishes to downgrade a leak and the field technician believes the grade should be higher. (Perhaps there is, but my staff was unable to identify one so far.) Most major railroads have implemented a "good faith challenge" where any employee can raise a concern regarding a safety issue without fear of retaliation; an unbiased knowledgeable individual hears and decides on any differences of opinion. Might be something to think about for these kinds of situations. If you'd like more information on this program for the railroads, I can get it to you.

I also wanted to ask if you would be willing to share something you mentioned at the symposium. You said that you have a system/process in place for investigating allegations of unsafe practices. I would be interested in seeing it as I think through how we should organize and structure our whistleblower investigation efforts.

Another request relates to information related to dig ins. We are getting huge legislative pushback on the proposed enforcement authority for dig in/one call violators, frankly, it looks like we'll be lucky to salvage anything from it. I was wondering if you have a database that shows all the dig in data over the last few years (both gas and electric facilities affected) and the entity that did a dig in. If you could give this info to us for the last several years up to as current as you have in just a

simple Excel spreadsheet, It would be extremely appreciated. We are going to start an effort to push that data to the AG and DAs for repeat offenders. We don't expect to get anything from them in terms of prosecution, but it will give us proof that they aren't going to prosecute for future legislative efforts. Also, I think that you mentioned that PG&E had referred cases to AGs and local DAs, and they did nothing (it could be someone else said that, and if so, could you refer this one to the right person). If you could give me more information about what PG&E referred and when and to whom, that would be helpful to us as well.

Thanks Nick.

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