

From: Simon, Timothy A.
Sent: 4/17/2012 3:05:39 PM
To: Cherry, Brian K (/O=PG&E/OU=CORPORATE/CN=RECIPIENTS/CN=BKC7);
Brown, Carol A. (carol.brown@cpuc.ca.gov)
Cc: White, Phyllis R. (phyllis.white@cpuc.ca.gov)
Bcc:
Subject: Re: Agenda Item 67

I have placed a hold to evaluate the need for an en banc. Regards,

From: Cherry, Brian K [mailto:BKC7@pge.com]
Sent: Tuesday, April 17, 2012 12:51 PM
To: Simon, Timothy A.; Brown, Carol A.
Cc: White, Phyllis R.
Subject: Re: Agenda Item 67

Thx

From: Simon, Timothy A. [mailto:timothy.simon@cpuc.ca.gov]
Sent: Tuesday, April 17, 2012 12:24 PM
To: Cherry, Brian K; Brown, Carol A. <carol.brown@cpuc.ca.gov>
Cc: White, Phyllis R. <phyllis.white@cpuc.ca.gov>
Subject: Re: Agenda Item 67

I will inquire with the Chief ALJ.

From: Cherry, Brian K [mailto:BKC7@pge.com]
Sent: Tuesday, April 17, 2012 07:23 AM
To: Simon, Timothy A.; Brown, Carol A.
Cc: White, Phyllis R.
Subject: Re: Agenda Item 67

We filed our request as part of comments on the Resolution and asked for a ruling. Never got one.

From: Simon, Timothy A. [mailto:timothy.simon@cpuc.ca.gov]
Sent: Tuesday, April 17, 2012 07:06 AM
To: Cherry, Brian K; Brown, Carol A. <carol.brown@cpuc.ca.gov>
Cc: White, Phyllis R. <phyllis.white@cpuc.ca.gov>
Subject: Re: Agenda Item 67

Brian, I think an oral argument is reasonable. Has PG&E filed a motion to this effect?

From: Cherry, Brian K [mailto:BKC7@pge.com]
Sent: Tuesday, April 17, 2012 06:59 AM
To: Simon, Timothy A.; Brown, Carol A.
Cc: White, Phyllis R.
Subject: Re: Agenda Item 67

No. This is the fine that resulted from the employees discovering we were missing maps. Procedurally, we asked for an en banc and haven't heard anything yet despite the fact that it is on the current agenda.

From: Simon, Timothy A. [mailto:timothy.simon@cpuc.ca.gov]
Sent: Monday, April 16, 2012 09:40 PM
To: Cherry, Brian K; Brown, Carol A. <carol.brown@cpuc.ca.gov>
Cc: White, Phyllis R. <phyllis.white@cpuc.ca.gov>
Subject: Re: Agenda Item 67

I was not aware of a request for an en banc. Is this a OSC?

From: Cherry, Brian K [mailto:BKC7@pge.com]
Sent: Monday, April 16, 2012 04:02 PM
To: Brown, Carol A.; Simon, Timothy A.
Cc: Simon, Timothy A.
Subject: Agenda Item 67

Carol and Timothy – Agenda item 67 is draft resolution ALJ-277, which imposes a fine of approximately \$17 million on PG&E. We have filed comments asking for an en banc so that we can have the matter heard before a quorum of Commissioners. To date, we have not heard whether that en banc will be granted. We ask for a hold from someone so that we could have an opportunity to be heard on this matter before a vote.