

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

Order Instituting Investigation on the
Commission's Own Motion into the Operations
and Practices of Pacific Gas and Electric
Company with Respect to Facilities Records for
its Natural Gas Transmission System Pipelines.

I.11-02-016
(Filed February 24, 2011)

**PACIFIC GAS AND ELECTRIC COMPANY'S
OPPOSITION TO MOTION OF PHILLIP MOSKAL FOR
PARTY STATUS**

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May 1, 2012

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The Commission should deny Phillip Moskal's motion for party status. Mr. Moskal is not a customer of PG&E and resides in San Diego, far from PG&E's service territory. His generalized statement of interest and the "contentions" he will purportedly pursue fail to meet the requirements of Rule 1.4(b) of the Commission's Rules of Practice and Procedure.

Mr. Moskal is a self-described "unemployed, low-income, single parent customer" who claims to represent the interests of "all similarly-situated underserved California customers . . . as well as the growing homeless population in ensuring pipeline safety and that ratepayers do not have to pay costs associated with the San Bruno explosion." (Motion at 2.) Mr. Moskal describes his "contentions" in this proceeding as follows:

PG&E's recordkeeping deficiencies present a substantial safety issue that is a matter of **statewide interest** to all California customers, including the interests of those underserved customers that Mr. Moskal represents.

Mr. Moskal expects to fully participate in collaboration with the other parties as this proceeding unfolds to ensure that the recordkeeping deficiencies are uncovered and resolved.

(*Id.* at 3.)

The motion provides no substance beyond these broad assertions. It does attempt to explain how the "statewide interest" in pipeline safety – which the Commission is addressing in R.11-02-019 – leads Mr. Moskal to add anything to this enforcement proceeding. CPSD is the

primary party pursuing alleged violations against PG&E. Customer interests are being protected by TURN and DRA, and the City of San Bruno and City and County of San Francisco are advancing public interests; all of these parties have been active in this proceeding from the beginning.

On the same day he filed this motion for party status in his own name, Mr. Moskal submitted testimony purporting to be “on behalf of the United Association of Plumbers, Pipe Fitters and Steamfitters Local Union Nos. 246 and 342, and their individual members” (Pipe Fitters). Two weeks before, Mr. Moskal submitted the same testimony – again purporting to be “on behalf of” the Pipe Fitters – in the San Bruno OII, I. 12-01-007 (see Attachment A, 4/16/2012 email). The only difference is that the testimony Mr. Moskal submitted there had the names of two San Diego lawyers instead of his own on the cover page. PG&E moved to strike that testimony in I.12-01-007 on April 23, 2012, and will be filing a motion to strike the testimony here as well.

Granting Mr. Moskal party status at this time and without an adequate showing of a unique or valuable contribution that he might make would only add complexity and delay to an already complex proceeding – especially in light of the fact that he is purporting to submit testimony on behalf of an entity he does not represent. The motion should be denied.

Respectfully submitted,

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