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 MOTION TO STRIKE TESTIMONY PURPORTEDLY SUBMITTED "ON BEHALF OF THE UNITED ASSOCIATION OF PLUMBERS, PIPE FITTERS AND STEAMFITTERS LOCAL UNION NOS. 246 AND 342, AND THEIR INDIVIDUAL MEMBERS"

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May 7, 2012

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Pacific Gas and Electric Company (PG&E) moves for an order striking the testimony purportedly submitted "on behalf of the United Association of Plumbers, Pipe Fitters and Steamfitters Local Union Nos. 246 and 342, and their individual members" (Pipe Fitters).[1] The testimony was not submitted by the organization on whose behalf it is purportedly submitted and, in any event, the Pipe Fitters are not a party to this proceeding.

[1] As described on the cover pages, this testimony consists of the following:

- Prepared Direct Testimony Of Royce Don Deaver On Behalf Of The United Association Of Plumbers, Pipe Fitters And Steamfitters Local Union Nos. 246 And 342, And Their Individual Members (From R. 11-02-019)
- Prepared Direct Testimony Of Peter A. Bradford On Behalf Of The United Association Of Plumbers, Pipe Fitters And Steamfitters Local Union Nos. 246 And 342, And Their Individual Members (From R. 11-02-019)
- Prepared Direct Testimony Of Marshall Worland On Behalf Of The United Association Of Plumbers, Pipe Fitters And Steamfitters Local Union Nos. 246 And 342, And Their Individual Members (From R. 11-02-019)
- Prepared Direct Testimony Of Mike Mikich On Behalf Of The United Association Of Plumbers, Pipe Fitters And Steamfitters Local Union Nos. 246 And 342, And Their Individual Members (From R. 11-02-019)
- Prepared Direct Rebuttal Testimony Of Royce Don Deaver On Behalf Of The United Association Of Plumbers, Pipe Fitters And Steamfitters Local Union No. 342 And Individual Members (From R. 11-02-019)

The Pipe Fitters submitted – and later withdrew – this testimony in the portion of R.11-02-019 addressing PG&E's Pipeline Safety Enhancement Plan. Although as submitted here, the cover page states that the testimony is "on behalf of" the Pipe Fitters, the Pipe Fitters did not submit this testimony. The business managers of the two locals informed PG&E that the individual whose name appears on the cover page does not represent the Pipe Fitters and was not authorized by the Pipe Fitters to submit any testimony on their behalf.

Even if the testimony were actually submitted by the Pipe Fitters, the Pipe Fitters are not parties to this proceeding. Because the testimony was prepared for a different proceeding, it has little, if anything, to do with the issues in this OII.

Two weeks ago, the same individual, Phillip Moskal, served the same testimony – again purporting to be "on behalf of" the Pipe Fitters – in I.12-01-007. The cover page of the testimony there was the same as here, except that, instead of Mr. Moskal's name, it had the name of two attorneys. By ruling of May 2, 2012, ALJ Wetzell granted PG&E's motion to strike the testimony from that proceeding. (I.12-01-007, Administrative Judge's Ruling on Motion of Ruth Henricks for Party Status and Motion of Pacific Gas and Electric Company to Strike Testimony, May 2, 2012.)

The testimony purportedly submitted on behalf of the Pipe Fitters should be stricken.

Respectfully submitted,

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