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BY EMAIL

Fred Harris, Staff Counsel
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102
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**Re: Comments of Pacific Gas and Electric Company on Revised Resolution L-436
Adopting New Regulations Regarding Public Access To Records Of The CPUC And
Requests For Confidential Treatment Of Records**

Dear Mr. Harris:

Pacific Gas and Electric Company (PG&E) hereby submits these brief comments on revised Draft Resolution L-436 (Draft Resolution), issued on July 13, 2011.

PG&E appreciates the Commission's careful consideration of the parties' comments on the original Draft Resolution as well as at the June 19th workshop. PG&E reiterates its support of the Commission's efforts to re-evaluate its implementation of the California Public Records Act (CPRA) and believes that the revisions to the Draft Resolution represent an improvement over the original. PG&E particularly appreciates the Commission's adoption of PG&E's and Southern California Edison Company's (SCE) joint recommendation for a Public Records Office Resolution.

PG&E supports the Commission's plan to convene further workshops to discuss both procedural and substantive issues pertaining to disclosure of confidential information, and PG&E looks forward to participating actively in the workshops. In the meantime, PG&E strongly urges the Commission to hold this Draft Resolution in abeyance. While the revised Draft Resolution represents an improvement over the original, both the Draft Resolution and associated General Order still raise issues of concern that would benefit from further discussion and revision.

For example, while the revised Draft Resolution adopts PG&E's and SCE's proposal for a Public Records Office Resolution, that proposal seems to be "added on" at the end of the resolution without making conforming changes at the beginning of the

resolution. In addition, the revised Draft Resolution includes new language justifying the Commission's authority to delegate to staff responsibility to carry out its General Orders. Without waiving its right to challenge the Commission's arguments on this point, PG&E would note that the legality of any such delegation may be closely linked to the level of detailed guidance that the Commission provides to staff. At this point, given that the details remain to be worked out in the workshops, it is premature for the Commission to adopt a Draft Resolution or General Order. Having the Commission adopt a revised General Order, without adequate clarity about how the General Order will be implemented, will only result in confusion among Commission staff and CPUC practitioners, which will not be in the public interest.

In its comments on the original Draft Resolution, PG&E expressed support for the Draft Resolution's continued recognition of the various legal, statutory, and CPUC-approved privileges and protections. As PG&E and the other investor-owned utilities stated at the workshop, Decision 06-06-066 represents one of these critically important CPUC-approved protections. PG&E is troubled that the revised Draft Resolution seems to take a step backward from the original, by indicating that "possible topics" for the energy-related records workshop could include "records included in D.06-06-066 matrixes." The matrixes of Decision 06-06-066 were the result of extensive and detailed discussions and argument by the parties to that proceeding, and PG&E strongly opposes any efforts to re-visit that decision.

Finally, PG&E notes that there has been some confusion among the participants about accessing the original and revised Draft Resolution, as well as other participants' comments. While PG&E is not opposed to continuing with this informal resolution process, PG&E urges the Commission to make sure that all parties are served with documents, including other parties' comments, in a timely manner.

Sincerely,



Brian K. Cherry
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On Behalf of Pacific Gas and Electric Company