

From: Meyers, Steven  
Sent: 10/29/2012 3:18:29 PM  
To: 'Malkin, Joseph M.' (jmalkin@orrick.com); 'michelle.cooke@cpuc.ca.gov' (michelle.cooke@cpuc.ca.gov)  
Cc: 'traci.bone@cpuc.ca.gov' (traci.bone@cpuc.ca.gov); 'austin.yang@sfgov.org' (austin.yang@sfgov.org); Strottman, Britt (bstrottman@meyersnave.com); 'joe.como@cpuc.ca.gov' (joe.como@cpuc.ca.gov); 'theresa.mueller@sfgov.org' (theresa.mueller@sfgov.org); 'karen.paull@cpuc.ca.gov' (karen.paull@cpuc.ca.gov); 'marcel@turn.org' (marcel@turn.org); 'cjackson@sanbruno.ca.gov' (cjackson@sanbruno.ca.gov); 'robert.pocta@cpuc.ca.gov' (robert.pocta@cpuc.ca.gov); 'linda.serizawa@cpuc.ca.gov' (linda.serizawa@cpuc.ca.gov); 'SBNeg@cpuc.ca.gov' (SBNeg@cpuc.ca.gov); 'cbettencourt@prager.com' (cbettencourt@prager.com); Bottorff, Thomas E (/O=PG&E/OU=CORPORATE/CN=RECIPIENTS/CN=TEB3); 'tlong@turn.org' (tlong@turn.org)  
Bcc:  
Subject: RE: Monday

Thank you, Joe. I am works for the San Bruno team. The Prager offices are available I understand

Steven R. Meyers

Principal

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**From:** Malkin, Joseph M. [mailto:jmalkin@orrick.com]  
**Sent:** Monday, October 29, 2012 3:05 PM  
**To:** 'michelle.cooke@cpuc.ca.gov'  
**Cc:** 'Austin.Yang@sfgov.org'; 'traci.bone@cpuc.ca.gov'; Strottman, Britt; 'joe.como@cpuc.ca.gov'; 'CJackson@sanbruno.ca.gov'; 'cbettencourt@prager.com'; 'marcel@turn.org'; 'karen.paull@cpuc.ca.gov'; 'robert.pocta@cpuc.ca.gov'; 'SBNeg@cpuc.ca.gov'; 'linda.serizawa@cpuc.ca.gov'; 'Theresa.Mueller@sfgov.org'; 'tlong@turn.org'; 'TEB3@pge.com'; Meyers, Steven  
**Subject:** RE: Monday

Michelle,

PG&E is prepared to present a counter offer at a meeting tomorrow with CP&D and the other non-PG&E parties. Please let us know what is a convenient time and place for everyone else. We are flexible.

Joe

**From:** Meyers, Steven [mailto:smeyers@meyersnave.com]  
**Sent:** Friday, October 26, 2012 5:20 PM  
**To:** Malkin, Joseph M.; 'michelle.cooke@cpuc.ca.gov'  
**Cc:** 'Austin.Yang@sfgov.org'; 'traci.bone@cpuc.ca.gov'; Strottman, Britt; 'joe.como@cpuc.ca.gov'; 'CJackson@sanbruno.ca.gov'; 'cbettencourt@prager.com'; 'marcel@turn.org'; 'karen.paull@cpuc.ca.gov'; 'robert.pocta@cpuc.ca.gov'; 'SBNeg@cpuc.ca.gov'; 'linda.serizawa@cpuc.ca.gov'; 'Theresa.Mueller@sfgov.org'; 'tlong@turn.org'; 'TEB3@pge.com'  
**Subject:** Re: Monday

Joe, we have been crystal clear throughout that we expect pge to accept our last counter offer or make a good faith counter demonstrating substantial movement. If this is forthcoming all procedural and substantive matters are on the table. Otherwise there is no reason to meet.

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Sent using BlackBerry

**From:** Malkin, Joseph M. [<mailto:jmalkin@orrick.com>]  
**Sent:** Friday, October 26, 2012 04:30 PM  
**To:** Cooke, Michelle <[michelle.cooke@cpuc.ca.gov](mailto:michelle.cooke@cpuc.ca.gov)>  
**Cc:** Austin Yang <[Austin.Yang@sfgov.org](mailto:Austin.Yang@sfgov.org)>; Bone, Traci <[traci.bone@cpuc.ca.gov](mailto:traci.bone@cpuc.ca.gov)>; Strottman, Britt; Como, Joe <[joe.como@cpuc.ca.gov](mailto:joe.como@cpuc.ca.gov)>; Connie Jackson <[C.Jackson@sanbruno.ca.gov](mailto:C.Jackson@sanbruno.ca.gov)>; Craig Bettencourt <[cbettencourt@prager.com](mailto:cbettencourt@prager.com)>; [marcel@turn.org](mailto:marcel@turn.org) <[marcel@turn.org](mailto:marcel@turn.org)>; Paull, Karen P. <[karen.paull@cpuc.ca.gov](mailto:karen.paull@cpuc.ca.gov)>; Pocta, Robert M. <[robert.pocta@cpuc.ca.gov](mailto:robert.pocta@cpuc.ca.gov)>; SBNeg <[SBNeg@cpuc.ca.gov](mailto:SBNeg@cpuc.ca.gov)>; Serizawa, Linda <[linda.serizawa@cpuc.ca.gov](mailto:linda.serizawa@cpuc.ca.gov)>; Meyers, Steven; Theresa Mueller <[Theresa.Mueller@sfgov.org](mailto:Theresa.Mueller@sfgov.org)>; Tom Long <[tlong@turn.org](mailto:tlong@turn.org)>; Tom Bottorff ([TEB3@pge.com](mailto:TEB3@pge.com)) <[TEB3@pge.com](mailto:TEB3@pge.com)>  
**Subject:** RE: Monday

Michelle,

I'm sorry not to have been able to respond earlier. We are happy to meet with the other parties on Monday. As we have expressed on several occasions, we believe we need the help of a mediator to bridge the still-substantial gulf between us. In their October 23 letter to Senator Mitchell, the City of San Bruno, DRA, TURN and the City and County of San Francisco stated that they "are confident that there are other qualified mediators who are not conflicted and could mediate these negotiations with the consent of all parties." We would like to talk with the parties about the process for selecting such a mediator to work with all of us toward a mutually acceptable resolution.

We are flexible on timing Monday. Please let us know what works for everyone else.

Thank you,

Joe

**From:** Cooke, Michelle [<mailto:michelle.cooke@cpuc.ca.gov>]  
**Sent:** Friday, October 26, 2012 6:40 AM  
**To:** Malkin, Joseph M.; Tom Bottorff ([TEB3@pge.com](mailto:TEB3@pge.com))  
**Cc:** Austin Yang; Bone, Traci; Britt Strottman; Como, Joe; Connie Jackson; Craig Bettencourt; [marcel@turn.org](mailto:marcel@turn.org); Paull, Karen P.; Pocta, Robert M.; SBNeg; Serizawa, Linda; Steven Meyers; Theresa Mueller; Tom Long  
**Subject:** Monday

Joe and Tom- The non-PG&E parties were informed Thursday afternoon that Senator Mitchell was still willing to serve as mediator, but only if all the parties agreed. By separate note (on which Joe was copied), we were confirming this understanding. As you probably would guess from the press, DRA, TURN, City of San Bruno, and City and County of San Francisco have not given their agreement. However, the parties are all willing to engage in negotiations with PG&E on Monday (10/29) if PG&E is prepared to present a reasonable counteroffer. We would all like to be able to represent that progress has been made during this delay, and don't see being able to make such a report unless we meet Monday.

Craig Bettencourt has offered his conference room at his office at One Maritime Plaza if PG&E is willing to participate.

We look forward to hearing from you.

Michelle Cooke

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