

From: Thomas, Sarah R.  
Sent: 2/12/2013 3:17:45 PM  
To: Warner, Christopher (Law) (/O=PG&E/OU=Corporate/cn=Recipients/cn=CJW5); fadia.khoury@sce.com (fadia.khoury@sce.com); [Redacted] b.bordine@d-e-c-a.org (b.bordine@d-e-c-a.org); ATrial@SempraUtilities.com (ATrial@SempraUtilities.com); Myers, Christopher (christopher.myers@cpuc.ca.gov); erasmussen@marinenergyauthority.org (erasmussen@marinenergyauthority.org); HRasool@SempraUtilities.com (HRasool@SempraUtilities.com); janet.combs@sce.com (janet.combs@sce.com); Salvacion, Lisa-Marie (lisa-marie.salvacion@cpuc.ca.gov); jhawley@technet.org (jhawley@technet.org); [Redacted] [Redacted]; [Redacted] JWaen@MarinEnergyAuthority.org (JWaen@MarinEnergyAuthority.org); GBinnings@pattonboggs.com (GBinnings@pattonboggs.com); [Redacted] [Redacted] mtierney-lloyd@enernoc.com (mtierney-lloyd@enernoc.com); william.sanders@sfgov.org (william.sanders@sfgov.org); Dietz, Sidney (/O=PG&E/OU=Corporate/cn=Recipients/cn=SBD4); sue.mara@RTOadvisors.com (sue.mara@RTOadvisors.com); [Redacted] [Redacted] Ho, Nick (/O=PG&E/OU=CORPORATE/CN=RECIPIENTS/CN=NKH3)

Bcc:

Subject: RE: Draft Stipulation for Record/ Customer Data Access Applications

We would brief each of the issues in our list, without repeating what we said before.

**From:** Warner, Christopher (Law) [CJW5@pge.com]  
**Sent:** Tuesday, February 12, 2013 2:17 PM  
**To:** Thomas, Sarah R.; Fadia.Khoury@sce.com  
**Cc:** ATrial@semprautilities.com; b.bordine@d-e-c-a.org; Myers, Christopher; [Redacted] erasmussen@marinenergyauthority.org; GBinnings@pattonboggs.com; HRasool@semprautilities.com; Janet.Combs@sce.com; jhawley@technet.org; jwaen@marinenergyauthority.org; Salvacion, Lisa-Marie; [Redacted] mtierney-lloyd@enernoc.com; Ho, Nick; Dietz, Sidney; [Redacted] sue.mara@rtoadvisors.com; william.sanders@sfgov.org; [Redacted] e  
**Subject:** Re: Draft Stipulation for Record/ Customer Data Access Applications

All - I have not reviewed Sarah's edits but the idea is that, if there are any issues on which there have not yet been comments, there could be some opportunity for last comments before the PD. I don't think we need full-blown briefs, but parties could provide comments on open issues for which there are not yet comments on the record. We should not need to repeat the comments already on the record.

Make sense? How about comments/reply comments in 21/10 days as an approach for this purpose?

Chris

CJW

**From:** Thomas, Sarah R. [mailto:sarah.thomas@cpuc.ca.gov]  
**Sent:** Tuesday, February 12, 2013 01:46 PM  
**To:** Fadia.Khoury@sce.com <Fadia.Khoury@sce.com>  
**Cc:** 'Trial, Allen' <ATrial@semprautilities.com>; b.bordine@d-e-c-a.org <b.bordine@d-e-c-a.org>; Myers, Christopher <christopher.myers@cpuc.ca.gov>; Warner, Christopher (Law); [Redacted] erasmussen@marinenergyauthority.org <erasmussen@marinenergyauthority.org>; 'GBinnings@PattonBoggs.com' <GBinnings@pattonboggs.com>; 'Rasool, Hannon J' <HRasool@semprautilities.com>; Janet.Combs@sce.com <Janet.Combs@sce.com>; 'Jim Hawley' <jhawley@technet.org>; jwaen@marinenergyauthority.org <jwaen@marinenergyauthority.org>; Salvacion, Lisa-Marie <lisa-marie.salvacion@cpuc.ca.gov>; [Redacted] mtiernev- lloyd@enernoc.com <mtiernev-lloyd@enernoc.com>; Ho, Nick; Dietz, Sidney; [Redacted] [Redacted]; Susan Mara <sue.mara@rtoadvisors.com>; william.sanders@sfgov.org <william.sanders@sfgov.org>; [Redacted]  
**Subject:** RE: Draft Stipulation for Record/ Customer Data Access Applications

I don't believe they have, because we assumed we would go to hearing. Mr. Warner asked whether - as a fall-back - we would agree to further briefing/comment on the issues we raise *instead of* hearings. Mr. Warner can confirm that he asked that we consent to briefs instead of hearings that allow us to address those issues. Without further briefing, we can't waive hearings.

**From:** Fadia.Khoury@sce.com [Fadia.Khoury@sce.com]  
**Sent:** Tuesday, February 12, 2013 1:41 PM  
**To:** Thomas, Sarah R.  
**Cc:** 'Trial, Allen'; b.bordine@d-e-c-a.org; Myers, Christopher; Warner, Christopher (Law); [Redacted] [Redac]; erasmussen@marinenergyauthority.org; 'GBinnings@PattonBoggs.com'; 'Rasool, Hannon J'; Janet.Combs@sce.com; 'Jim Hawley'; jwaen@marinenergyauthority.org; Salvacion, Lisa-Marie; [Redacted] [Redac]; mtiernev-lloyd@enernoc.com; Ho, Nick; Dietz, Sidney; Sara Steck Myers; Susan Mara; william.sanders@sfgov.org; [Redacted]  
**Subject:** RE: Draft Stipulation for Record/ Customer Data Access Applications

Hi, Sarah. I'm a little confused by the redlined edits you've circulated, as the issues before the ALJ have been briefed in the rounds of comments already filed, i.e., in the IOUs' joint report, the comments to the joint report, the reply comments to the joint report, etc. Does DRA propose to re-brief those issues?

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From: "Thomas, Sarah R." <sarah.thomas@cpuc.ca.gov>  
To: "Warner, Christopher (Law)" <CJW5@pge.com>, Susan Mara <sue.mara@rtoadvisors.com> [Redacted],  
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[Redacted] "Dietz, Sidney" <SBD4@pge.com>, "b.bordine@d-e-c-a.org" <b.bordine@d-e-c-a.org>  
Date: 02/12/2013 01:29 PM  
Subject: RE: Draft Stipulation for Record/ Customer Data Access Applications

I attach DRA's edits, but please note that I need to vet the March dates for comments within DRA.

**From:** Warner, Christopher (Law) [CJW5@pge.com]  
**Sent:** Tuesday, February 12, 2013 12:08 PM  
**To:** Susan Mara; Sara Steck Myers; 'Trial, Allen'; Myers, Christopher; [Redacted]  
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'Rasool, Hannon J'; Janet.Combs@sce.com; jwaen@marinenergyauthority.org; Salvacion, Lisa-Marie;  
mtierney-lloyd@enernoc.com; william.sanders@sfgov.org; 'Jim Hawley'; Ho, Nick; [Redacted]  
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**Subject:** RE: Draft Stipulation for Record/ Customer Data Access Applications

All- Sarah Thomas for DRA and I have had a good followup discussion, and I believe some of the previous language in the draft stipulation that we agreed to add may provide sufficient clarification for DRA to support the stipulation. Therefore, I am attaching both a redline and clean version of the draft stipulation for your immediate review so we can hopefully get to closure this week and file by the end of the week.

Please review the redline and clean versions and if you are comfortable with the clean version, please execute on the signature page and send me a pdf of your signature page and I will combine all the counterpart signatures into one single executed PDF copy to circulate one last time before filing. If you have any further edits or proofreading changes, feel free to send along to the entire group and I will add those as well if acceptable.

Call or email if you have any questions. Thx again for everyone's help!

Chris Warner  
PG&E Law  
415-973-6695

**From:** Susan Mara [<mailto:sue.mara@rtoadvisors.com>]  
**Sent:** Monday, February 04, 2013 12:27 PM  
**To:** Warner, Christopher (Law)  
**Cc:** Sara Steck Myers; 'Trial, Allen'; christopher.myers@cpuc.ca.gov; [Redacted]  
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marie.salvacion@cpuc.ca.gov; mtierney-lloyd@enernoc.com; william.sanders@sfgov.org; 'Jim Hawley';  
Ho, Nick; [Redacted]  
**Subject:** Re: Draft Stipulation for Record/ Customer Data Access Applications

The changes are fine with me as well.

Sue Mara

On Feb 4, 2013, at 12:18 PM, "Warner, Christopher (Law)" <[CJW5@pge.com](mailto:CJW5@pge.com)> wrote:

Thanks Sara, these changes all look fine to PG&E.

Chris

**From:** Sara Steck Myers [<mailto:ssmyers@att.net>]  
**Sent:** Monday, February 04, 2013 11:50 AM  
**To:** Warner, Christopher (Law); 'Trial, Allen'; christopher.myers@cpuc.ca.gov; [Redacted]  
David;erasmussen@marinenergyauthority.org; Fadia.Khoury@sce.com; 'GBinnings@PattonBoggs.com';  
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'Jim Hawley'  
**Cc:** Ho, Nick; [Redacted]  
**Subject:** RE: Draft Stipulation for Record/ Customer Data Access Applications

Dear Chris:

I am writing on behalf of EnerNOC, Inc. EnerNOC supports the attached stipulation with the following modifications:

- (1) EnerNOC asks that the stipulation, in summarizing the record in this proceeding, be modified to include, among the "Whereas" items, that multiple motions for party status were filed in April 2012 (Technology Network (TechNet)); June 2012 (EnerNOC, City and County of San Francisco, Open Energy Networks, and Distributed Energy Consumer Advocates; and in July 2012 (Pacific Bell Telephone), and were granted by ALJ Sullivan in the same time period.
- (2) EnerNOC asks that the "agreement" section on page 4, Number 1, be modified to include reference to these motions, as granted by the ALJ.
- (3) EnerNOC asks that the "agreement" section on page 4, at the second Number 2, be modified to add the following language in italics: "the parties agree that, *while contested issues remain and must be resolved by the Commission in its decision on these applications*, formal evidentiary hearings on the issues...."

Thank you,

Sara Steck Myers  
Attorney for EnerNOC  
[ssmyers@att.net](mailto:ssmyers@att.net)  
(415) 387-1904

**From:** Warner, Christopher (Law) [<mailto:CJW5@pge.com>]  
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[william.sanders@sfgov.org](mailto:william.sanders@sfgov.org); Jim Hawley  
**Cc:** Ho, Nick; [Redacted]  
**Subject:** RE: Draft Stipulation for Record/ Customer Data Access Applications

All – I have heard back only from the other IOUs on this draft stipulation, so I am asking again for other parties' input on this draft stipulation to the record in the Customer Data Access proceedings so that we can move the proceeding along, and provide the ALJ clarity on the proceeding. The ALJ again this week asked me if parties had worked out any agreement on the record and on hearings, so I do need to give him an update one way or another early next week

Could you please review and respond by COB Monday regarding this stipulation? Thx much!

Chris Warner  
Counsel for PG&E  
415-973-6695

**From:** Warner, Christopher (Law)  
**Sent:** Monday, January 28, 2013 6:31 PM  
**To:** Trial, Allen; [christopher.myers@cpuc.ca.gov](mailto:christopher.myers@cpuc.ca.gov); [Redacted]  
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**Cc:** Ho, Nick; [Redacted]  
**Subject:** Draft Stipulation for Record/ Customer Data Access Applications

Interested parties to Customer Data Access applications, **A.12-03-002, A.12-03-003, A.12-003-004:**

ALJ Sullivan recently contacted me to see if PG&E would facilitate a discussion among the interested and active parties regarding potentially stipulating to the record in this proceeding so that all parties could avoid the need for evidentiary hearings. To that end, attached is a draft stipulation I recommend you review and consider agreeing to for this purpose. The draft stipulation would stipulate into the record all the parties' pleadings, filings and comments, including the opening and reply comments filed last August on the Joint IOU Report in the

proceeding. The draft stipulation would waive any need for evidentiary hearings and instead recommend that the Commission move forward to issue a PD on the merits, with all parties reserving their rights to comment on the PD.

Please review this draft stipulation and let me know if possible in the next couple days (e.g. by COB Thursday January 31) whether you would support and sign the stipulation. If we can agree to the stipulation, we can avoid the need for evidentiary hearings while preserving each party's current positions as outlined in our respective pleadings.

Thanks for your consideration and feel free to contact me if you have any questions.

Chris Warner  
Counsel for PG&E  
415-973-6695

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[attachment "DRA edits

Stipulation%20Regarding%20Record%20and%20Waiver%20of%20Evidentiary%20HearingsFINALREDLINE.docx" deleted by Fadia Khoury/SCE/EIX]

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