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Sent: 3/18/2013 1:34:36 PM

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Cc: Foss, Travis (travis.foss@cpuc.ca.gov)

Bcc:

Subject: I.12-01-007, OII San Bruno Explosion and Fire, PG&E's Motion to Strike

From: Malkin, Joseph M. [jmalkin@orrick.com]

Sent: Monday, March 18, 2013 11:39 AM

To: Wetzell, Mark S.; Yip-Kikugawa, Amy C.

Cc: Foss, Travis; Long Tom; Strottman Britt K.; Theresa Mueller; Paull, Karen P.

Subject: Fwd: I.12-01-007, OII San Bruno Explosion and Fire, PG&E's Motion to Strike

Dear ALJ Wetzell and ALJ Yip-Kikugawa,

We have no objection to CPSD responding to our motion next Monday, March 25.

We were unaware of ALJ Wetzell's request to CPSD, but have no objection to CPSD substituting a new Appendix C with the requested information for the alleged violations set forth in Section X of CPSD's January 12, 2012 report.

I am away from the office and on a mobile device, so would appreciate Mr. Foss forwarding a copy of this to the remainder of the service list.

Sincerely yours,

Joe Malkin

Begin forwarded message:

From: "U'u, Tauvela" <TVU1@pge.com>
Date: March 18, 2013 11:07:45 AM PDT
To: "Wilson, Michelle (Law)" <MLW3@pge.com>, "Malkin, Joseph M." <jmalkin@orrick.com>
Subject: FW: I.12-01-007, OII San Bruno Explosion and Fire, PG&E's Motion to Strike

Michelle and Joe:

Please see the email below from Travis Foss.

Vela

From: Foss, Travis [<mailto:travis.foss@cpuc.ca.gov>]
Sent: Monday, March 18, 2013 11:05 AM
To: Wetzell, Mark S.; Yip-Kikugawa, Amy C.; U'u, Tauvela; John.A.Apgar@Citi.com; theresa.mueller@sfgov.org; austin.yang@sfgov.org; khelmuth@cityofmadera.com; cjackson@ci.sanbruno.ca.us; bstrottman@meyersnave.com; Morris, Harvey Y.; sgs@dcbsf.com; ATrowbridge@DayCarterMurphy.com; lauren.duke@db.com; jonathan.arnold@db.com; anjani.vedula@db.com; Bone, Traci; Paull, Karen P.; Peleo, Marion; abb@eslawfirm.com; thnxvm@gmail.com; ppatterson2@nyc.rr.com; BCragg@GoodinMacbride.com
Subject: RE: I.12-01-007, OII San Bruno Explosion and Fire, PG&E's Motion to Strike

Dear ALJs Wetzell and Yip-Kikugawa,

This is obviously a major request by PG&E, and CPSD strongly opposes the request to shorten time. If granted, PG&E's request will greatly affect this proceeding. The motion is actually fairly long and complex at 11 pages, and CPSD needs the full time to respond. It is not clear procedurally how to respond to a motion that also requests shortened time without in effect responding in a shortened time period. Any guidance from the ALJs would be appreciated. If a formal written opposition to the request for shortened time is required, I can file that by tomorrow.

CPSD understands that, in order to accommodate the deadline for the reply briefs, this motion should be resolved quickly. However, CPSD needs the full time to respond to what is a complex motion. In the spirit of compromise, CPSD will agree to shorten the time to respond to one week - by next Monday, April 25.

I should point out that ALJ Wetzell informally requested that I prepare a table of violations similar to the one produced in the Record Keeping OII for this case, and Appendix C which is the subject of PG&E's motion to strike is CPSD's response to that request. I don't know if ALJ Wetzell ever made that request publicly, but I would like to have ALJ Wetzell verify that he requested that CPSD provide a table of violations. PG&E's motion to strike does not clearly state that it is only seeking to strike those portions of Appendix C that it believes violate due process, but appears to seek to strike the entire table.

Also, CPSD will be filing a response to PG&E's request for judicial notice shortly, probably by Wednesday. Thanks, Travis

Travis T. Foss | Staff Counsel | California Public Utilities Commission
505 Van Ness Avenue, SF, CA 94102 | W: 415.703.1998 | Email: tff@cpuc.ca.gov

From: U'u, Tauvela [TVU1@pge.com]

Sent: Monday, March 18, 2013 9:43 AM

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Subject: I.12-01-007, Oil San Bruno Explosion and Fire, PG&E's Motion to Strike

Attached is Pacific Gas and Electric Company's Motion to Strike Appendix C to Opening Brief of the Consumer Protection and Safety Division and Request for Order Shortening Time for Response, in PDF format, which was filed on March 18, 2013, with the California Public Utilities Commission in Docket No. I12 01 007.

Tauvela U'u, on behalf of
Michelle L. Wilson, Esq. and Joseph M. Malkin, Esq.
Pacific Gas and Electric Company

If you have any difficulty opening the attachment(s), please notify
Tauvela U'u, tel (415) 973-0328, fax (415) 973-5520, TVU1@pge.com

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