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Subject: I.11-02-016 (Recordkeeping OII) - ALJ Ruling on CPSD's April 2, 2013 Motion

NOTICE TO PARTIES IN I.11-02-016

This ruling addresses CPSD's April 2, 2013 Motion for Judicial Notice and Alternative Motion that Several Exhibits be Considered in Order to Limit Inferences Drawn from PG&E's Exhibit 11. A written ruling confirming and memorializing this ruling will be issued at a later date.

Amy C. Yip-Kikugawa
Administrative Law Judge
California Public Utilities Commission
(415)-703-5256

ADMINISTRATIVE LAW JUDGE'S RULING GRANTING
MOTION OF THE CONSUMER PROTECTION AND SAFETY DIVISION
FOR OFFICIAL NOTICE

On March 28, 2013, I issued an electronic ruling resolving a request by Pacific Gas and Electric Company (PG&E) for official notice of various documents. As relevant here, I granted PG&E's request for official notice of a March 14, 2013 letter from the National Transportation Safety Board (NTSB) to Christopher P. Johns, President of Pacific Gas and Electric Company (NTSB March 14th letter).

On April 2, 2013, the Consumer Protection and Safety Division (CPSD) filed a motion requesting that official notice be taken of the following documents:

1. January 31, 2013 letter from PG&E President Christopher P. Johns to Honorable Deborah A.P. Hersman, Chairperson of the National Transportation Safety Board.
2. PG&E Power Point Presentation entitled "PG&E Pipeline Safety Enhancement Plan (PSEP) Expedited Application Workshop", dated March 26, 2013.

CPSD's motion states that both of these documents are necessary to provide additional context to the NTSB's March 14th letter. CPSD further states that, if official notice is not granted, it proffers these documents for the limited purpose of showing that the NTSB's March 14th letter cannot be taken for the truth of the contents therein.

CPSD's motion for official notice is granted. The January 31, 2013 letter from Mr. Johns (document # 1) is specifically identified in the NTSB's March 14th letter and relates to the

NTSB's January 3, 2011 Safety Recommendation P-10-3 (Urgent). The Power Point presentation (document # 2) is also related to Safety Recommendation P-10-03. I agree that both of these documents additional context to the NTSB's March 14th letter. CPSD's motion provides sufficient notice so that PG&E may respond to the documents in the reply briefs due on April 19, 2013.

IT IS RULED that CPSD's motion for official notice is granted.