

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

Order Instituting Investigation on the Commission's Own Motion into the Operations and Practices of Pacific Gas and Electric Company to Determine Violations of Public Utilities Code Section 451, General Order 112, and Other Applicable Standards, Laws, Rules and Regulations in Connection with the San Bruno Explosion and Fire on September 9, 2010.

I.12-01-007
(Filed January 12, 2012)

(Not Consolidated)

Order Instituting Investigation on the Commission's Own Motion into the Operations and Practices of Pacific Gas and Electric Company with Respect to Facilities Records for its Natural Gas Transmission System Pipelines.

I.11-02-016
(Filed February 24, 2011)

(Not Consolidated)

Order Instituting Investigation on the Commission's Own Motion into the Operations and Practices of Pacific Gas and Electric Company's Natural Gas Transmission Pipeline System in Locations with Higher Population Density.

I.11-11-009
(Filed November 10, 2011)

(Not Consolidated)

**PG&E'S RESPONSE TO CITY OF SAN BRUNO'S AMENDED
REQUEST FOR OFFICIAL NOTICE**

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May 15, 2013

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PG&E does not oppose the City of San Bruno's request that the Commission take official notice of the audio recording of PG&E Corporation's First Quarter Earnings Call (May 2, 2013) (available at <http://edge.media-server.com/m/p/4qw4msxk/lan/en>). But, San Bruno's request is not entirely clear.¹ PG&E understands that San Bruno's request is limited to the audio recording of the call available on PG&E's web page at the address provided above.² If San Bruno is seeking official notice of the transcript attached at Exhibit 3 of its Amended Request, however, PG&E objects.

¹ San Bruno refers to the PG&E Corporation Earnings Conference Call "in its entirety." Request at 1. The link provided above and in San Bruno's brief, however, includes an audio recording and a PowerPoint presentation entitled "PG&E Corporation, First Quarter Earnings Call, May 2, 2013. The audio recording and the presentation are presented together as an integrated webcast on PG&E's web page.

² See Request at 3 (asking for official notice of the "audio recording" and arguing that it is "accurate" and "not subject to dispute" because it is a "recording").

San Bruno has not identified the source of that transcript or provided any assurance that it is a complete and accurate transcript of the audio recording. A cursory review reveals a number of errors in San Bruno's Exhibit 3, including: (1) the statement at the bottom of p. 3 of 29 attributed to Thomas E. Bottorff should be attributed to Christopher P. Johns; and (2) throughout the document, Christopher P. Johns is erroneously identified as "Former President and Director."³ Furthermore, Exhibit 3 appears to contain a copy of two transcripts, one starting on p. 2 of 29 and another starting on p. 14 of 29. Although these appear initially to be duplicate copies of the same transcript, there are at least some differences between the two. For example, in the transcript beginning at the bottom of p. 14 of 29, the titles and affiliations of the speakers are identified each time someone speaks, which is not done in the first half of Exhibit 3. There may be other differences as well. On its face, San Bruno's Exhibit 3 does not meet the criteria for official notice. *See* Cal. Evid. Code § 452(h) (judicial notice may be taken of "[f]acts and propositions that are not reasonably subject to dispute and are capable of immediate and accurate determination by resort to sources of reasonably indisputable accuracy").

Respectfully submitted,

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Dated: May 15, 2013

³ *See* Exhibit 3, pp. 2, 15, 19, 20, 25 of 29.