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Cc:

Bcc:

Subject: I.12-01-007; I.11-02-016; I.11-11-009 - ALJs' Ruling on Motion of CPSD to Strike Portions of PG&E's Brief

NOTICE TO PARTIES

ADMINISTRATIVE LAW JUDGES' RULING GRANTING MOTION TO STRIKE

On May 29, 2013 the Consumer Protection and Safety Division (CPSD; now named the Safety and Enforcement Division) filed a motion to strike portions of the "Coordinated Remedies Brief" filed by Pacific Gas and Electric Company (PG&E) on May 24, 2013. CPSD seeks to have stricken references to extra-record evidence of gas transmission-related safety amounts

paid by PG&E shareholders and the extra-record Pipeline Safety Enhancement Program Compliance Report dated April 30, 2013. City of San Bruno, Division of Ratepayer Advocates, and The Utility Reform Network filed responses in support of the CPSD motion. PG&E filed a response in opposition.

The Commission must base its decisions on evidence of record, and briefs that refer to extra-record evidence are not to be filed. Therefore, good cause appearing,

IT IS RULED that:

1. The May 29, 2013 motion of the Consumer Protection and Safety Division (CPSD) to strike portions of the “Coordinated Remedies Brief” filed by Pacific Gas and Electric Company (PG&E) (CPSD Motion to Strike) is granted.
2. On or before June 5, 2013, PG&E shall re-file its opening brief to redact the portions of its brief that refer to extra-record material as described in the CPSD Motion to Strike.
3. The due date for coordinated rebuttal briefs on fines and remedies issues is extended from June 5, 2013 to June 7, 2013.

Administrative Law Judges Amy C. Yip-Kikugawa and Mark S. Wetzell