

From: Prosper, Terrie D.  
Sent: 6/14/2013 9:32:46 PM  
To: Doll, Laura (/O=PG&E/OU=CORPORATE/CN=RECIPIENTS/CN=LRDD)  
Cc:  
Bcc:  
Subject: RE: Fwd: MN - San Bruno explosion: State regulatory attorney says he didn't quit PG&E case

Another fun day.

----- Original message -----

From: "Doll, Laura" <LRDD@pge.com>  
Date:  
To: "Prosper, Terrie D." <terrie.prosper@cpuc.ca.gov>  
Subject: Fw: Fwd: MN - San Bruno explosion: State regulatory attorney says he didn't quit PG&E case

**From:** [Redacted]  
**Sent:** Friday, June 14, 2013 09:25 PM  
**To:** Doll, Laura  
**Subject:** Fwd: MN - San Bruno explosion: State regulatory attorney says he didn't quit PG&E case

FYI

Begin forwarded message:

**From:** [Redacted]  
**Date:** June 14, 2013 8:15:49 PM PDT  
**To:** [Redacted] [Redacted]  
[Redacted]  
**Cc:** [Redacted]  
[Redacted]  
**Subject:** MN - San Bruno explosion: State regulatory attorney says he didn't quit PG&E case

[http://www.mercurynews.com/san-mateo-county-times/ci\\_23465470/san-bruno-explosion-state-regulatory-attorney-says-](http://www.mercurynews.com/san-mateo-county-times/ci_23465470/san-bruno-explosion-state-regulatory-attorney-says-)

[he?source=rss&cid=dlvr.it](http://he?source=rss&cid=dlvr.it)

## **San Bruno explosion: State regulatory attorney says he didn't quit PG&E case**

By Joshua Melvin

[jmelvin@bayareanewsgroup.com](mailto:jmelvin@bayareanewsgroup.com)

[mercurynews.com](http://mercurynews.com)

Posted: 06/14/2013 08:02:21 PM PDT

June 15, 2013 3:3 AM GMT

Updated: 06/14/2013 08:02:23 PM PDT

SAN FRANCISCO -- Disputing a previous official explanation, a top regulatory attorney said Friday that he and two colleagues never asked to be taken off a legal team working to determine PG&E's role in the deadly 2010 San Bruno explosion.

In an email sent Friday, Harvey Morris, an assistant general counsel at the California Public Utilities Commission, asked his boss to "stop mischaracterizing the events." He goes on to say "anyone who knows me would question your statement that we voluntarily left."

Morris and three other attorneys were reassigned last week after they refused to sign a legal brief which argued the utility should spend money to fix its system instead of paying a fine as punishment for the explosion. The turmoil comes as administrative law judges weigh the issue.

In an interview Friday, Commission General Counsel Frank Lindh said he "begged the attorneys to stay on the case."

"They withdrew from the case," said Lindh, "and they left me with the obligation to fill in behind them."

Lindh said he believes Attorney General Kamala Harris needs to investigate the affair in order to set the records straight -- a request initiated by San Bruno officials.

Morris' email comes one week after fellow PUC attorney Robert Cagen said he gave up his duties on the case because he believed the commission wasn't going

to sufficiently punish the utility. In the wake of the Sept. 9, 2010 blast, which killed eight people and

38 homes, investigators found numerous failings, including the utility's shoddy record-keeping, which contributed to the explosion and fire.

"I concluded that the (Commission safety division's) recommendations that were to be made in the briefs were unlawful," Cagen wrote in a statement.

In his email, leaked late Friday, Morris echoes those sentiments, but goes a step further.

"I request that you cease immediately your defamatory representations that I and the other attorneys in the San Bruno (case) voluntarily left the case," Morris wrote to Lindh.

He goes on to note the two and half years of work he and his team put into the case, including working nights and weekends, in order to hold PG&E responsible. But then he and his colleagues refused to sign a brief "that we felt was unethical."

"Because you did nothing to resolve our ethical concerns, one attorney asked to be taken off the case, and then you claimed that all of us asked to be reassigned," Morris wrote to Lindh.

For critics of the efficacy of the commission, the leaked email Friday pointed again toward a cozy relationship between PG&E and its regulators. Lindh previously worked as an attorney for PG&E.

"I believe they were removed," said state Sen. Jerry Hill, D-San Mateo, "because they would not adhere to the wishes of the (commission) leadership."

The email was also troubling for the town left scarred by the explosion. San Bruno Mayor Jim Ruane said regulators didn't learn their lesson despite the suffering caused in the blast.

"It seems to be, in their minds, it's business as usual," he said. "They are supposed to be serving us and they are not."

Contact Joshua Melvin at 650-348-4335. Follow him at [Twitter.com/melvinreport](https://twitter.com/melvinreport).

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