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May 30, 2013

Via E-mail and U.S. Mail

Mr. Fred Harris
Legal Division, Public Records Office
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, California 94102

**Re: Public Records Act Request
Communications re: I.12-01-007, I.11-02-016, I.11-11-009
Financial Institutions and Professionals; Commissioner Peevey documents;
PG&E “Forging a New Vision of Safety in California” Symposium;
Appointment of Senator George Mitchell in October 2012; Fines, Penalties,
and/or Remedies; California Foundation on the Environment and the
Economy Conference on April 25, 2013 in Napa Valley, CA; and Senate
Budget and Fiscal Review subcommittee hearing on April 25**

Dear Mr. Harris:

Pursuant to the California Public Records Act, California Government Code Section 6250 *et seq.* the City of San Bruno (“San Bruno”) hereby requests copies of the public records identified below. Each of San Bruno’s requests relates to:

- Financial Institutions and Professionals;
- Commissioner Peevey documents;
- The CPUC-PG&E “Forging a New Vision of Safety in California” Symposium scheduled for May 7-8, 2013;
- The appointment of Senator George Mitchell as mediator in October 2012;
- The California Public Utilities Commission’s ongoing investigations in I.12-01-007, I.11-02-016, and I.11-11-009, including the discussion of fines, penalties, and/or remedies in I.12-01-007, I.11-02-016, and I.11-11-009;
- California Foundation on the Environment and the Economy Conference on April 25-26 and dinner on April 25, 2013 in Napa Valley, CA; and
- Senate Budget and Fiscal Review subcommittee hearing on April 25, 2013.

For purposes of San Bruno's request, all italicized terms set forth below are defined in Exhibit A.

SAN BRUNO PUBLIC RECORDS ACT REQUESTS

Documents Related to Ongoing Investigations in I.12-01-007, I.11-02-016, and I.11-11-009

Financial Institutions and Professionals

- A. Meetings with Financial Institutions. Identify any individual or recurring meetings scheduled or held amongst *Commissioners and/or CPUC Employees* and *Financial Institutions* concerning the Subject Matter of I.12-01-007, I.11-02-016, and I.11-11-009. Please specify the invitees, attendees and location for each such meeting and the individual(s) that requested and/or organized the meeting.
- B. Meetings with Financial Professionals. Identify any individual or recurring meetings scheduled or held amongst *Commissioners and/or CPUC Employees* and *Financial Professionals* concerning the Subject Matter of I.12-01-007, I.11-02-016, and I.11-11-009. Please specify the invitees, attendees and location for each such meeting and the individual(s) that requested and/or organized the meeting.
- C. Documentation related to Financial Meetings.
- Preparation, Handouts, Documentation, Summaries. Any and all *Documents* generated in preparation for, reflecting, summarizing or discussing the communications identified in paragraphs A and B of this public records act request.
 - Follow-Up. Any and all *Documents* used or generated in or as a result of the meetings or communications identified in paragraphs A and B of this public records act request.

Commissioner Peevey Documents

- D. I.12-01-007, I.11-02-016, I.11-11-009. Any and all *Documents* wherein Commissioner Peevey or his staff is an author, recipient, copied, blind carbon copied, or otherwise included upon in which the subject matter of I.12-01-007, I.11-02-016, or I.11-11-009 are mentioned, discussed, referenced or otherwise covered.
- E. Fines, Penalties, and/or Remedies. Any and all *Documents* wherein Commissioner Peevey or his staff is an author, recipient, copied, blind carbon copied, in which *Fines, Penalties, and/or Remedies* are mentioned, discussed, referenced or otherwise covered.

- F. Safety Symposium. Any and all *Documents* wherein Commissioner Peevey or his staff is an author, recipient, copied, blind carbon copied, in which *Safety Symposium* is mentioned, discussed, referenced or otherwise covered.
- G. Mitchell Mediator Appointment. Any and all *Documents* wherein Commissioner Peevey or his staff is an author, recipient, copied, blind carbon copied, in which the *Mitchell Appointment* is mentioned, discussed, referenced or otherwise covered.

Communications Between Commission - CPUC Employee-PG&E Employees

- H. Meetings between Commissioners, CPUC Employees and PG&E Employees. Identify any individual or recurring meetings scheduled or held amongst *Commissioners (including staff members) and/or CPUC Employees and PG&E Employees*, or any combination thereof, concerning the Subject Matter of I.12-01-007, I.11-02-016, and I.11-11-009. Please specify the invitees, attendees and location for each such meeting and the individual(s) that requested and/or organized the meeting.
- I. Documentation related to CPUC-PG&E Meetings.
- Preparation, Handouts, Documentation, Summaries. Any and all *Documents* used in preparation for, reflecting, summarizing or otherwise discussing the communications identified in paragraph F of this public records act request.
 - Follow Up. Any and all *Documents* used or generated in or as a result of the meetings or communications identified in paragraph F of this public records act request.

Internal Commission Discussions Regarding Fines, Penalties, and/or Remedies

- J. Internal Commission Discussions Re: Fines, Penalties, and/or Remedies.
- Meetings. Identify any individual or recurring meetings scheduled or held amongst *the Commissioners themselves, CPUC Employees themselves, or amongst the Commission and CPUC Employees*, concerning *Fines, Penalties, and/or Remedies* from January 2013 to the present.
 - Preparation, Handouts, Documentation, Summaries. Any and all *Documents* reflecting, summarizing or discussing communication by or amongst *the Commission (including Commission General Counsel Frank Lindb, Executive Director Paul Clanon, and CPSD Director Jack Hagan), Commissioners, Commissioner's staff, and CPUC Employees*, or any combination of such parties, in relation to the meetings or communications identified in this paragraph H or otherwise concerning *Fines, Penalties, and/or Remedies* from January 2013 to the present.

- Follow Up. Any and all *Documents* used or generated in or as a result of any meetings or communications identified in this paragraph H from January 2013 to the present.

K. Internal CPUC Employee Discussions Re: Fines, Penalties, and/or Remedies.

- Preparation, Handouts, Documentation, Summaries. Any and all *Documents* reflecting, summarizing or discussing communication by or amongst *the Commission (including Commission Executive Director Paul Clanon and CPSD Director Jack Hagan), CPUC Commissioners, Commission staff, and CPUC Employees, or any combination of such parties concerning the Fines, Penalties, and/or Remedies* from January 2013 to the present.
- Follow Up. Any and all *Documents* used or generated in or as a result of such meetings or communications from January 2013 to the present.

L. CPUC-PG&E Discussions Re: Fines, Penalties, and/or Remedies.

- Meetings. Identify any individual or recurring meetings scheduled or held amongst *PG&E Employees, Commissioners, and/or CPUC Employees, or any combination thereof, concerning Fines, Penalties, and/or Remedies* from January 2013 to the present.
- Preparation, Handouts, Documentation, Summaries. All *Documents* reflecting, summarizing or discussing communication by or amongst *the Commissioners, CPUC Employees, (including Commission Executive Director Paul Clanon and CPSD Director Jack Hagan), PG&E Employees, and CPUC Employees, or any combination of such parties, related to the meetings identified in this paragraph J or otherwise concerning Fines, Penalties, and/or Remedies* from January 2013 to the present.
- Follow Up. Any *Documents* used or generated in or as a result of meetings identified in this paragraph J from January 2013 to the present.

M. Specific Fines, Penalties, and/or Remedies Documents. All draft and the final versions of *Documents* related to the imposition of *Fines, Penalties, and/or Remedies*, including, without limitation, the *Documents* specifically identified below, along with disclosure of whether such *Documents* were drafted by *Commissioners, CPUC Employees, or PG&E Employees* from January 2013 to the present:

- Any and all proposals, including, without limitation proposals related to the amount, scope, structure, timeframe or composition of *Fines, Penalties, and/or Remedies* whether made by *PG&E Employees, Commissioners, CPUC Employees, or any combination thereof.*

- Any proposals, requests or suggestions from *Commissioners, CPUC Employees, or PG&E Employees* related to *Fines, Penalties, and/or Remedies*.
- Copies of all contracts, agreements or any amendments thereto related to *Fines, Penalties, and/or Remedies*.
- Copies of all draft and final materials to be distributed publicly, including, without limitation, statements, press releases and flyers related to related *Fines, Penalties, and/or Remedies*.

CPUC-PG&E Safety-Symposium Related Documents

- N. Payment for Safety Symposium. All *Documents* reflecting, summarizing or discussing communication by or amongst *PG&E Employees (including Jane Yura, Vice President Gas Operations Standards & Policies at PG&E), Commissioners, CPUC Employees, and/or Hall and Associates* or any combination of such parties, concerning payment for the Safety Symposium, including payment for the previously scheduled May 7, 2013 dinner at the Marines' Memorial Club and Hotel.
- O. CPUC-PG&E Safety Symposium Planning. All *Documents* reflecting, summarizing or discussing communication by or amongst *PG&E Employees (including Jane Yura, Vice President Gas Operations Standards & Policies at PG&E), Commissioners, and CPUC Employees, and/or Hall and Associates* or any combination of such parties, concerning the agenda, speakers, topics, logistics, issues or presentations or panels for the *Safety Symposium*, including payment for the May 7, 2013 dinner at the Marines' Memorial Club and Hotel, along with:
- Any *Documents* used or generated in or as a result of such meetings or communications.
 - Any *Documents* regarding potential overlap between the *Safety Symposium* and the *Subject Matter of I.12-01-007, I.11-02-016, and I.11-11-009*.
- P. Internal CPUC Safety Symposium Planning.
- All *Documents* reflecting, summarizing or discussing communication by or amongst *the Commission and CPUC Employees*, or any combination of such parties, concerning the agenda, speakers, topics, logistics, issues or presentations or panels for the Safety Symposium, including payment for the May 7, 2013 dinner at the Marines' Memorial Club and Hotel, along with:
 - Any *Documents* used or generated in or as a result of such meetings or communications.

- Any Documents regarding potential overlap between the *Safety Symposium* and the *Subject Matter of I.12-01-007, I.11-02-016, and I.11-11-009.*

- Q. CPUC-PG&E Meetings Re: Safety Symposium. Identify any individual or recurring meetings scheduled or held amongst *PG&E Employees, the Commission, CPUC Employees, and/or Hall and Associates* concerning the preparation of the *Safety Symposium.*
- R. Internal CPUC Meetings Re: Safety Symposium. Identify any individual or recurring meetings scheduled or held amongst *the Commission itself, CPUC Employees themselves, or amongst the Commission and CPUC Employees,* concerning the preparation of the *Safety Symposium.*
- S. Safety Symposium-related Documents. All drafts and the final versions of *Documents* related to *Safety Symposium,* along with an indication of whether such documents were drafted by *the Commission, CPUC Employees, PG&E Employees (including Jane Yura, Vice President Gas Operations Standards & Policies at PG&E), and/or Hall and Associates* including, without limitations, the following:
- Any proposals, whether made by *PG&E Employees, Commissioners or CPUC Employees, and/or Hall and Associates* related to compensation, rates, scope of work for the *Safety Symposium.*
 - Any proposals, requests or suggestions from *Commissioners, CPUC Employees, PG&E Employees, and/or Hall and Associates* related to speakers, agendas, seating arrangements, panels or other issues or topics for the *Safety Symposium.*
 - Copies of all contracts, agreements or any amendments thereto related to the *Safety Symposium.*
 - Copies of all draft and final *Safety Symposium* materials to be distributed publicly, including, without limitation, statements, press releases and flyers.
- T. Consultants Assisting with Safety Symposium. Identify any consultants or contractors, if any, that *Commissioners, CPUC Employees, and/or PG&E Employees* considered to perform any tasks in connection with planning, publicizing, executing, or otherwise undertaking the *Safety Symposium.*

Appointment of Mediator in Settlement Negotiations Related Documents:

- U. Internal Commission Discussions Re: the Mitchell Appointment.

- Meetings. Identify any individual or recurring meetings scheduled or held amongst the *Commissioners themselves, CPUC Employees themselves, or amongst the Commission and CPUC Employees, concerning the Mitchell Appointment.*
- Preparation, Handouts, Documentation, Summaries. Any and all *Documents* reflecting, summarizing or discussing communication by or amongst the *Commission (including President Peevey and Commissioner Florio's Commission staff), and CPUC Employees, or any combination of such parties concerning the Mitchell Appointment.*
- Follow Up. Any and all *Documents* used or generated in or as a result of such meetings or communications.

V. Commission – PG&E Discussions Re: the Mitchell Appointment.

- Meetings. Identify any individual or recurring meetings scheduled or held amongst *PG&E Employees, Commissioners and/or CPUC Employees, or any combination thereof, concerning the Mitchell Appointment.*
- Preparation, Handouts, Documentation, Summaries. Any and all *Documents* reflecting, summarizing or discussing communication by or amongst *PG&E Employees, Commissioners (specifically including President Peevey and Commissioner Florio, and each Commissioner's staff), and CPUC Employees, or any combination of such parties, concerning the Mitchell Appointment.*
- Follow Up. Any and all *Documents* used or generated in or as a result of such meetings or communications.

W. Specific Mitchell Appointment Documents. Without limiting the generality of the foregoing, San Bruno requests any and all drafts and the final versions *Documents* related to the *Mitchell Appointment*, including without limitation, the following, along with an indication of whether such documents were drafted by *Commissioners, CPUC Employees, or PG&E Employees*:

- Any proposals, requests or suggestions, whether made by *PG&E Employees, Commissioners or CPUC Employees, related to the Mitchell Appointment.*
- Copies of all contracts, agreements or any amendments thereto related to the *Mitchell Appointment.*
- Copies of all draft and final materials to be distributed publicly concerning the *Mitchell Appointment*, including, without limitation, statements, press releases and flyers.

- A list of all background documents provided to Senator Mitchell or his representatives concerning the *Subject Matter of I.12-01-007, I.11-02-016, and I.11-11-009.*

**California Foundation on the Environment and the Economy (CFEE)
Conference on April 25-26, 2013 at the Silverado Resort in Napa Valley, CA
and CFEE dinner at Merryvale Winery in Napa, CA on April 25, 2013:**

X. Internal Commission Discussions Re: CFEE Conference on April 25-26, 2013 and CFEE dinner on April 25, 2013.

- Meetings. Identify any individual or recurring meetings scheduled or held amongst *the Commissioners themselves, CPUC Employees themselves (including President Peevey's Commission staff), or amongst the Commission and CPUC Employees,* concerning the *CFEE Conference on April 25-26, 2013 and CFEE dinner on April 25, 2013.*
- Preparation, Handouts, Documentation, Summaries. Any and all *Documents* reflecting, summarizing or discussing communication by or amongst *the Commission (including President Peevey's Commission staff), and CPUC Employees,* or any combination of such parties concerning the *CFEE Conference on April 25-26, 2013 and CFEE dinner on April 25, 2013.*
- Follow Up. Any and all *Documents* used or generated in or as a result of such meetings or communications.

Y. Commission – PG&E Discussions Re: the CFEE Conference on April 25-26, 2013 and CFEE dinner on April 25, 2013.

- Meetings. Identify any individual or recurring meetings scheduled or held amongst *PG&E Employees (including Thomas (Tom) Bottorff, Senior Vice President, Regulatory Affairs), Commissioners and/or CPUC Employees,* or any combination thereof, concerning the *CFEE Conference on April 25-26, 2013 and CFEE dinner on April 25, 2013.*
- Preparation, Handouts, Documentation, Summaries. Any and all *Documents* reflecting, summarizing or discussing communication by or amongst *PG&E Employees (including Thomas (Tom) Bottorff, Senior Vice President, Regulatory Affairs), Commissioners (specifically including President Peevey's Commissioner's staff), and CPUC Employees,* or any combination of such parties, concerning the *CFEE Conference on April 25-26, 2013 and CFEE dinner on April 25, 2013.*
- Follow Up. Any and all *Documents* used or generated in or as a result of such meetings or communications.

Z. Specific CFEE Conference on April 25-26, 2013 and CFEE dinner on April 25, 2013 Documents. Without limiting the generality of the foregoing, San Bruno requests any and all drafts and the final versions *Documents* related to the CFEE conference on April 25-26, 2013 and CFEE dinner on April 25, 2013, including without limitation, the following, along with an indication of whether such documents were drafted by *Commissioners (including Commissioner Peevey's staff), CPUC Employees, or PG&E Employees (including Thomas Bottorff, Sr. Vice President of Regulatory Affairs for PG&E):*

- Any proposals, requests or suggestions, whether made by *PG&E Employees, Commissioners or CPUC Employees*, related to the *CFEE conference on April 25-26, 2013 and CFEE dinner on April 25, 2013*.
- Copies of all contracts, agreements or any amendments thereto related to the *CFEE conference on April 25-26, 2013 and CFEE dinner on April 25, 2013*.
- Copies of all draft and final materials to be distributed publicly concerning the *CFEE conference on April 25-26, 2013 and CFEE dinner on April 25, 2013*, including, without limitation, statements, press releases and flyers.
- A list of all background documents provided to CFEE or its representatives concerning the *Subject Matter of I.12-01-007, I.11-02-016, and I.11-11-009*.

Senate Budget and Fiscal Review Subcommittee Hearing on April 25, 2013:

AA. Internal Commission Discussions Re: Senate Budget and Fiscal Review subcommittee hearing on April 25, 2013.

- Meetings. Identify any individual or recurring meetings scheduled or held amongst *the Commissioners themselves, CPUC Employees themselves (including President Peevey's Commission staff), or amongst the Commission and CPUC Employees*, concerning the *Senate Budget and Fiscal Review subcommittee hearing on April 25, 2013*.
- Preparation, Handouts, Documentation, Summaries. Any and all *Documents* reflecting, summarizing or discussing communication by or amongst *the Commission (including President Peevey's Commission staff), and CPUC Employees*, or any combination of such parties concerning the *Senate Budget and Fiscal Review subcommittee hearing on April 25, 2013*.
- Follow Up. Any and all *Documents* used or generated in or as a result of such meetings or communications.

BB. Commission – PG&E Discussions Re: Senate Budget and Fiscal Review subcommittee hearing on April 25, 2013.

- Meetings. Identify any individual or recurring meetings scheduled or held amongst PG&E Employees, Commissioners and/or CPUC Employees, or any combination thereof, concerning the *Senate Budget and Fiscal Review subcommittee hearing on April 25, 2013*.
- Preparation, Handouts, Documentation, Summaries. Any and all Documents reflecting, summarizing or discussing communication by or amongst PG&E Employees, Commissioners (specifically including President Peevey's Commissioner's staff), and CPUC Employees, or any combination of such parties, concerning the *Senate Budget and Fiscal Review subcommittee hearing on April 25, 2013*.
- Follow Up. Any and all Documents used or generated in or as a result of such meetings or communications.

CC. Specific Senate Budget and Fiscal Review subcommittee hearing on April 25, 2013 Documents. Without limiting the generality of the foregoing, San Bruno requests any and all drafts and the final versions Documents related to the *Senate Budget and Fiscal Review subcommittee hearing on April 25, 2013*, including without limitation, the following, along with an indication of whether such documents were drafted by Commissioners, CPUC Employees, or PG&E Employees:

- Any proposals, requests or suggestions, whether made by PG&E Employees, Commissioners or CPUC Employees, related to the *Senate Budget and Fiscal Review subcommittee hearing on April 25, 2013*.
- Copies of all contracts, agreements or any amendments thereto related to the *Senate Budget and Fiscal Review subcommittee hearing on April 25, 2013*.
- Copies of all draft and final materials to be distributed publicly concerning the *Senate Budget and Fiscal Review subcommittee hearing on April 25, 2013*, including, without limitation, statements, press releases and flyers.
- A list of all background documents provided to the Senate Budget and Fiscal Review subcommittee hearing or its representatives concerning the *Subject Matter of I.12-01-007, I.11-02-016, and I.11-11-009*.

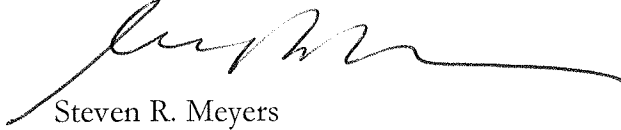
Any responsive records that are withheld from inspection should be specifically and separately identified in writing, and accompanied by the claimed justification for withholding as provided by California Government Code Section 6255, stating the nature of the document withheld and the basis for such withholding. Should you contend that any portion of a particular document is exempt from disclosure, San Bruno requests, pursuant to Section 6253(a) of the California Government Code that the exempt portion be redacted and the remaining portions be produced. San Bruno reserves the right to object to any decision to withhold materials, or portions of documents. San Bruno requests copies of public

Mr. Fred Harris
May 30, 2013
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records in electronic form where available, and in hard copy where copies in electronic form are not available.

In accordance with Section 6253(c) of the California Government Code, please respond to San Bruno's request within ten (10) days. Any questions regarding San Bruno's public records act request should be addressed to me. Thank you in advance for your prompt attention and timely cooperation with San Bruno's request.

Sincerely,



Steven R. Meyers
Special Counsel, City of San Bruno
Meyers Nave
(510) 808-2000
smeyers@meyersnave.com

Enclosures: Exhibit A – Public Records Act Request Definitions and Instructions
Exhibit B – Forging a New Vision of Safety in California” Natural Gas Safety Symposium Flyer
Exhibit C – Press release dated October 15, 2012 entitled: “Former U.S. Senator George Mitchell Appointed as Mediator for Negotiations Over PG&E San Bruno Pipeline Explosion Fines and Remedies”
Exhibit D – Draft agenda for CFEE conference and dinner on April 25-26, 2013
Exhibit E – Letter from Senator Jerry Hill to Commissioner Peevey regarding the Senate and Fiscal Review subcommittee hearing on April 25, 2013

cc: Connie Jackson, City Manager, San Bruno (via Email)
Marc Zafferano, City Attorney, San Bruno (via Email)
State Senator Jerry Hill (via Email)
Commissioner Michael R. Peevey (via Email)
Commissioner Michel Peter Florio (via Email)
Commissioner Catherine J.K. Sandoval (via Email)
Commissioner Mark J. Ferron (via Email)
Commissioner Carla J. Peterman (via Email)
Jack Hagan, Director, SED (formerly CPSD) (via Email)
Frank Lindh, General Counsel, CPUC (via Email)
Paul Clanon, Executive Director, CPUC (via Email)

EXHIBIT A

EXHIBIT A
CITY OF SAN BRUNO
PUBLIC RECORDS ACT REQUEST
TO THE CALIFORNIA PUBLIC UTILITIES COMMISSION

DEFINITIONS AND INSTRUCTIONS

- A. "Commission" means the California Public Utilities Commission.
- B. "Commissioners" means the specific CPUC Commissioners assigned to I.12-01-007, I.11-02-016, I.11-11-009, Commissioner Peevey and Commissioner Florio and all staff members for each Commissioner from the time the three investigations were opened to the present. Commission shall also include Commissioners Sandoval, Ferron and Peterman and their staff.
- C. "CPSD" means both the Consumer Protection and Safety Division, and the recently renamed organization, Safety Enforcement Division.
- D. "CPUC Employee" or "CPUC Employee(s)" includes, without limitation all employees, management, appointees and executives at the CPUC, the Executive Director, consultants to CPUC, the Safety and Enforcement Division, any in-house attorneys and any outside counsel to the CPUC. "CPUC Employee(s)" specifically includes, without limitation, President Michael Peevey and any of his staff members, Mr. Frank Lindh, Director Jack Hagan, Mr. Paul Clanon, Julie Halligan, and Michelle Cooke.
- E. "Hall & Associates" means Hall and Associates, LLC, including without limitation Jim Hall, Bob Chipkevich, Bill Scott, and any additional staff or experts engaged by or on behalf of Hall and Associates to assist with preparation of the "Forging a New Vision of Safety in California" safety symposium.
- F. "Documents" means all notes, minutes of meetings, documents, summaries, e-mails, e-mail attachments, texts, calendar entries, memoranda, proposals, PowerPoint presentations, memoranda, other briefings, records of follow-up tasks, list of attendees, documentation of notes made on white boards or other records, whatever the format (oral, written, electronic, including twitter, facebook, instant messaging, etc.), whether in draft or final form.
- G. "Financial Institution" means any institution in the business of underwriting, distributing and trading utility equity and debt securities, including, without limitation, any such institutions or consultants that presently or previously have performed such services for Pacific Gas and Electric Company or PG&E Corporation

- H. “Financial Professional” means any entity or consultant in the business of advising concerning underwriting, distribution and trading of utility equity and debt securities, including, without limitation, any such institutions or consultants that presently or previously have performed such services for Pacific Gas and Electric Company or PG&E Corporation.
- I. “Mitchell Appointment” refers to the attempted appointment of former U.S. Senator George Mitchell to serve as mediator in talks in 2012 in order to resolve the enforcement cases (I.12-01-007, I.11-02-016, and I.11-11-009) against PG&E, as described in Exhibit C, attached hereto for reference.
- J. “Penalties and Fines” means the fines, penalties and/or equitable remedies considered, imposed, and/or recommended in Commission Investigations I.12-01-007, I.11-02-016, and I.11-11-009 for the violations identified in the Consumer Protection Safety Division (now Safety Enforcement Division) investigative reports and further clarified by the Scoping Memorandum issued in each proceeding.
- K. “PG&E Employee” or “PG&E Employee(s)” includes, without limitation, all employees, management and executives at Pacific Gas and Electric Company and PG&E Corporation, the Board of Directors to Pacific Gas and Electric Company, the Board of Directors to PG&E Corporation, consultants to Pacific Gas and Electric Company, consultants to PG&E Corporation and any in-house attorneys and any outside counsel to Pacific Gas and Electric Company and PG&E Corporation.
- L. “Safety Symposium” means the CPUC “Forging a New Vision of Safety in California” Natural Gas Safety Symposium, previously scheduled on May 7-8, 2013 in San Francisco, California (see Exhibit B), including, without limitation, the May 7, 2013 dinner at the Marines’ Memorial Club and Hotel.
- M. “Subject Matter of I.12-01-007, I.11-02-016, and I.11-11-009” means the issues identified in the Order Instituting Investigation in each proceeding, as further clarified by the Scoping Memorandum issued in each proceeding.
- N. “CFEE Conference on April 25-26, 2013 and CFEE dinner on April 25, 2013” means the California Foundation on the Environment and the Economy Conference on April 25-26, 2013 at the Silverado Resort in Napa Valley, CA and CFEE dinner at Merryvale Winery in Napa, CA on April 25, 2013 (see Exhibit D).
- O. “Senate Budget and Fiscal Review subcommittee hearing” means the Senate Budget and Fiscal Review subcommittee hearing chaired by Senator Jim Beall on April 25, 2013 in Sacramento, CA (see Exhibit E).

EXHIBIT B

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



April 4, 2013

Greetings,

On behalf of the California Public Utilities Commission (CPUC), I invite you to attend the first in a series of safety symposiums to explore solutions to safety within California's utility services and infrastructure sectors. This symposium, *Forging a New Vision of Safety in California*, will be held May 7-8, 2013, in downtown San Francisco and will focus on natural gas safety issues. Sessions will be held at the Milton Marks Auditorium in the Johnson State Office Building at 455 Golden Gate Avenue. Please see the agenda below.

This symposium will allow representatives of the natural gas industry, government, and the public to convene and discuss ways to help create a climate and culture that embraces safety as an underlying and timeless principle in everything we do. The keynote speaker on the first day is Deborah A.P. Hersman, Chairman of the National Transportation Safety Board. Panels will follow Chairman Hersman's introduction to explore the climate and culture of safety, the regulator's role in leading safety change, and effective emergency response.

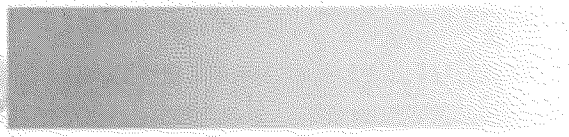
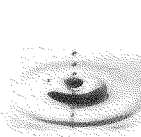
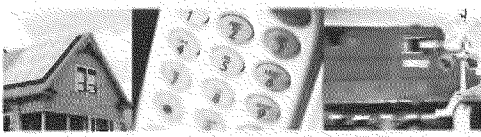
There is no charge to attend the conference, but reservations are requested so we can ensure space availability. Simply click on this symposium registration link and enter your information: <http://events.signup4.com/cpucsafetysymposium>. (Note that an optional dinner Tuesday evening at the Marines' Memorial Club requires an RSVP by May 1.)

As Director of the Safety and Enforcement Division of the CPUC, I believe our (industry and regulator) mission is to create a climate and culture that embraces safety as a tool and an enhancement to accomplish our organization's mission. This culture uses risk assessment and risk management as the foundation of assessing safety and the consequences of failure, and to assert that safety, with respect to human life and property, is non-negotiable. This symposium is an opportunity to establish collaborative relationships to develop solutions to the safety challenges we face in these dynamic times. I hope you will join me in this important dialog.

Sincerely,

A handwritten signature in cursive script that reads "Emory J. Hagan III".

Emory J. Hagan, III
Brigadier General (CA)
Director, Safety and Enforcement Division
California Public Utilities Commission



California Public Utilities Commission

Forging a New Vision of Safety in California

Natural Gas Safety Symposium

May 7-8, 2013, San Francisco

What: The first-ever gathering of California natural gas industry and regulatory leaders for a dialog about safety culture, the regulatory role in leading safety change, and effective emergency response.

Keynote speakers:

- Deborah A.P. Hersman, Chairman, National Transportation Safety Board
- Captain Chesley Sullenberger, *former US Air Captain*

Plus, panel discussions by industry and regulatory leaders

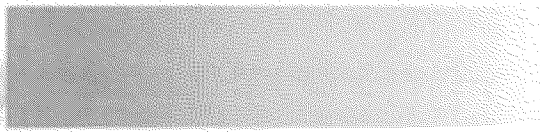
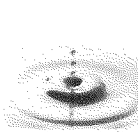
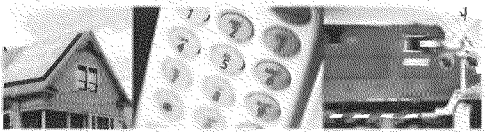
Where: Hiram Johnson State Building, Milton Marks Auditorium, 455 Golden Gate Ave., San Francisco

When: May 7, 2013, 1:30 – 4:45 p.m. and May 8, 2013, 8:30 a.m. – 12:30 p.m.

Agenda

Day 1: Tuesday, May 7, 2013, 1:30 p.m. – 4:45 p.m.

- 1:30 p.m.** **Welcome**
Brigadier General (CA) Jack Hagan, *Director, Safety and Enforcement Division, California Public Utilities Commission*
- 2 p.m.** **Keynote**
Deborah A.P. Hersman, *Chairman, National Transportation Safety Board*
- 3:15 – 3:30** **Break**



- 3:30 p.m. Panel 1: Building a Climate and Culture of Safety**
Moderator: TBD
TBD, Alaska Airlines
Captain Jody Bridges, *USN, Director School of Aviation Safety, Pensacola FL*
Robert C. Figlock, *President, Advanced Survey Design, LLC*
Paul Levy, *former Chair of the Massachusetts Department of Public Utilities and former CEO of Beth Israel Deaconess Medical Center*
Nick Stavropoulos, *Senior Vice President, Gas Operations, Pacific Gas and Electric Company*
- 5 p.m. Adjourn**

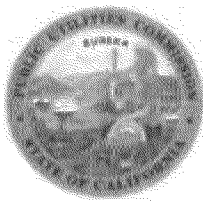
Evening Event (Optional)

- 6 p.m. Reception (cash bar), Marines' Memorial Club & Hotel, 609 Sutter St., San Francisco**
- 7 p.m. Dinner**
Evening Keynote: Captain Chesley Sullenberger, *former US Air Captain, pilot of the "Miracle on the Hudson" aviation incident*

Day 2: Wednesday, May 8, 2013, 8:30 a.m. – 12:30 p.m.

- 8:30 a.m. Panel 2: Effectively Managing Pipeline Emergency Response**
Moderator: TBD
Jerry Schmitz, *Vice President, Engineering, SouthWest Gas*
Joanne Hayes-White, *Chief, San Francisco Fire Department*
Tim Butters, *Deputy Administrator, Pipeline and Hazardous Materials Safety Administration*
Carl Weimer, *Executive Director, Pipeline Safety Trust*
- 10 a.m. Break**
- 10:15 a.m. Panel 3: Leading Safety – What Does Regulatory Leadership Look Like?**
Moderator: Paul Clanon, *Executive Director, California Public Utilities Commission*
Commissioner Mike Florio, *California Public Utilities Commission*
Commissioner Paul J. Roberti, *Rhode Island Public Utilities Commission*
Chris Johns, *President, Pacific Gas and Electric Company*
Dennis Arriola, *President & Chief Operating Officer, Southern California Gas Company*
- 12 p.m. Concluding Remarks**
President Michael R. Peevey, *California Public Utilities Commission*
Brigadier General (CA) Jack Hagan, *Director, Safety and Enforcement Division, California Public Utilities Commission*
- 12:30 p.m. Adjourn**

EXHIBIT C



FOR IMMEDIATE RELEASE

PRESS RELEASE

Media Contact: Terrie Prosper, 415.703.1366, news@cpuc.ca.gov

**FORMER U.S. SENATOR GEORGE MITCHELL APPOINTED
AS MEDIATOR FOR NEGOTIATIONS OVER PG&E SAN BRUNO
PIPELINE EXPLOSION FINES AND REMEDIES**

SAN FRANCISCO, October 15, 2012 -- The California Public Utilities Commission (CPUC) today announced the appointment of former U.S. Senator George Mitchell to serve as mediator in ongoing talks aimed at resolving by stipulated agreement a series of enforcement cases against Pacific Gas and Electric Company (PG&E), stemming from the September 2010 explosion of a high-pressure PG&E natural gas pipeline in San Bruno, Calif.

Senator Mitchell is known, among other things, for his role as the U.S. Special Envoy for Northern Ireland, where he brokered the landmark Good Friday Peace Treaty in April 1998, and more recently as President Obama's Special Envoy to the Middle East. He was nominated for the Nobel Peace Prize for his success in the Northern Ireland peace process. He is the chairman emeritus of DLA Piper LLP (US), an international law firm, and he will be assisted by lawyers from that firm in his role as mediator.

"We are very grateful to Senator Mitchell for agreeing to devote his skills as mediator to this difficult and painful series of cases," said CPUC President Michael R. Peevey. "We are confident Senator Mitchell can help achieve a solution that will resolve these cases sooner rather than later, bring justice to the good people of San Bruno, and move California forward to our goal of a much safer natural gas system."

Commissioner Mike Florio also applauded the appointment of Senator Mitchell, describing him as "a truly world-class mediator and peace-maker."

Senator Mitchell will serve as mediator in ongoing negotiations between PG&E, the CPUC's safety enforcement staff, and other parties to the proceedings. The other parties include the City of San Bruno, the City and County of San Francisco, the CPUC's Division of Ratepayer Advocates, and ratepayer advocacy group The Utility Reform Network (TURN). The parties to the mediation will



be asked to sign a mediation agreement confirming their participation and giving their consent for Senator Mitchell's law firm to provide these mediation services.

In their report and testimony in the enforcement cases, the CPUC's safety staff allege that PG&E committed significant violations of pipeline safety rules, which staff claim contributed to the blast. The National Transportation Safety Board also found many deficiencies in PG&E's operations and its slow response to the explosion on the evening of September 9, 2010. PG&E faces the prospect of millions of dollars in fines in the CPUC proceedings, and other remedies.

"I encourage all of the parties to make a good-faith effort at a negotiated solution, working with Senator Mitchell," said Commissioner Florio. "This is the most expeditious way to resolve these cases and bring closure to the people of San Bruno. More than two years have passed since the tragedy. The evidence is all in, and the time has come to resolve these cases once and for all."

The CPUC's rules require that any stipulation the parties might agree to in the mediation process must be publicly filed with the CPUC, and considered by the CPUC's five Commissioners in public after an opportunity for public review and comment.

The CPUC previously ordered PG&E to fund all the costs of the San Bruno investigation from shareholders, and not to pass any of the costs along to ratepayers. The costs of Senator Mitchell's services will be paid in this same manner.

For more information on the CPUC, please visit www.cpuc.ca.gov.

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EXHIBIT D

DRAFT AGENDA

CFEE Energy Conference: Transitioning to a Clean Energy Future

April 25-26, 2013

Silverado Conference Center, Napa, California

Thursday, April 25th—TBD

12:00 pm-1:00 pm -- Buffet Lunch -- TBD

1:00 pm-1:15 pm -- Welcome and Introduction

**Patrick F. Mason, President, CFEE*

1:15 pm-1:30 pm—SESSION 1: California Energy 101

A short video will provide basic information regarding California's energy sector and the production and delivery of power in the state.

**Jan Smutny-Jones, Executive Director, Independent Energy Producers*

1:30 pm-2:30 pm—SESSION 2: The Cornerstone of California's Energy Policy – The Loading Order

Since the energy crisis, state policy has been that the overarching goal is for California's energy to be reliable, affordable, technologically advanced, and environmentally-sound. The loading order, first adopted in the 2003 Energy Action Plan, describes the priority sequence for actions to address future energy needs. The loading order identifies energy efficiency and demand response as the State's preferred means of meeting growing energy needs. After cost-effective efficiency and demand response, we rely on renewable sources of power and distributed generation, such as combined heat and power applications. To the extent efficiency, demand response, renewable resources, and distributed generation are unable to satisfy increasing energy and capacity needs, we support clean and efficient fossil-fired generation. Concurrently, the bulk electricity transmission grid and distribution facility infrastructure must be improved to support growing demand centers and the interconnection of new generation, both on the utility and customer side of the meter. Energy procurement over the last decade has been guided by these principles. How was the loading order established and why has it endured for over a decade? Is it still effective policy?

During the sessions to follow, we will examine the detailed policies that evolved from the loading order, the related goals, status towards achieving those goals, and next steps. We will also consider how these key policies line up with California's climate change policies.

Mike Peevey, President, California Public Utilities Commission (5-7 min)

**Bob Welsenmiller, Chair, California Energy Commission (5-7 min)*

Roundtable Discussion

2:30 pm-2:45 pm -- Break

*presenter confirmed

2:45 pm – 4:00 pm—SESSION 3: Pushing the Envelope on Energy Efficiency and Demand Response

What are our energy efficiency goals in terms of state and local energy policies, and climate change goals? What is the current policy on demand response? What has been achieved and what is our current status? How can we capture 100% of cost-effective energy efficiency? What are the challenges? What are the costs and benefits involved? What are the next steps?

Andrew McAllister, Chair, California Energy Commission
Jeanne Clinton, Special Advisor to the California Public Utilities Commission

Responders:

Rep, IOU

Rep, MUNI

**Sheryl Carter*, Co-Director Energy Program, Natural Resources Defense Council

Rep, Industry

Roundtable Discussion

4:00 pm - 5:30 pm—SESSION 4: Renewable Resources and Distributed Generation

What are our renewable goals in terms of state and local energy policies, and climate change policy? The state has a goal to procure 33% of the state's generation from renewable resources, and reportedly the utilities have executed sufficient power purchase agreements to exceed this goal. What is the current status towards achieving these goals? What are the challenges (e.g. How will the influx of renewable and DG energy impact the transmission and distribution system? Can we expect all of these contracts to deliver?) Are there examples from outside the state that can inform our response? How does the Distributed Generation policy goal fit with other state policies, e.g. electrification and energy storage policies? What are the costs and benefits involved? What are the next steps?

Michael Picker, Sr. Advisor to the Governor for Renewable Energy Facilities,
Office of the Governor

Responders:

Rep, Pacific Gas & Electric

Rep, MUNI

Rep, Enviro

Rep, Industry

Rep, CAISO

Roundtable Discussion

6:00 pm – Reception and Dinner—TBD

Friday, April 26th—TBD

7:30 am - 8:30 am – Continental Breakfast – TBD

8:30 am - 10:00 am—SESSION 5: Role of Clean and Efficient Fossil Fuel Generation

Integrating renewables into the system puts a new focus on the role and attributes of fossil fuel resources. What are the challenges and what is the strategy for long term procurement? What

*presenter confirmed

are the costs and benefits involved? As once-thru-cooling plants retire and the future of SONGS is uncertain, how have state policies evolved and what does the future hold?

Stephen Berberich, President & CEO, California Independent System Operator
**Mike Florio*, Commissioner, California Public Utilities Commission
John Chilleml, Senior Vice President and President, West Region, NRG
Rep, Southern California Edison

Roundtable Discussion

10:00 am - 10:15 am – Break

10:15 am - 11:45 am—SESSION 6: Planning for an Evolving Electricity Industry Structure
How do we accommodate and integrate this evolving structure both in long-term planning and procurement, but also in business/regulatory models or structures? This includes increasing levels of energy efficiency and demand response; a smarter grid, new types of electric services enabled by them; electric vehicles; intermittent renewables and flexible fossil resources; rate design issues, etc. Are we too insular in our approach to meeting our future energy needs in a carbon constrained economy? For example, meeting existing 2020-2050 greenhouse gas goals require electrification of the transportation sector—do our policies and structures recognize this new reality?

John DiStasio, General Manager and CEO, Sacramento Municipal Utilities District
Joe Ronan, Senior VP, Government and Regulatory Affairs, Calpine Corporation
Rep,

Roundtable Discussion

11:45 am - 1:00 pm—SESSION 7: Aligning Energy and Climate Policies
What has been the impact of AB 32 on California's electricity sector in terms of both the implementation of Scoping Plan measures, and the cap-and-trade program? What results and trends are apparent from recent auctions and how might the revenue be used to further the goals of the state? What transformative changes are needed to meet 2050 climate change goals?

Mary Nichols, Chairman, Air Resources Board
Rep, Electricity producer
Rep, Manufacturer (EITE)
Rep, Manufacturer (non-EITE)
Rep, Enviro

Roundtable Discussion

1:00 pm – Adjourn

@ 2.9.13

*presenter confirmed

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Responders:

Rep, Pacific Gas & Electric

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Rep, Manufacturer (EITE)
Rep, Manufacturer (non-EITE)
Rep, Enviro

Roundtable Discussion

1:00 pm – Adjourn

@ 2.9.13

*presenter confirmed

EXHIBIT E

California State Senate

CAPITOL OFFICE
STATE CAPITOL, ROOM 5064
SACRAMENTO, CA 95814
TEL (916) 651-4013
FAX (916) 324-0283

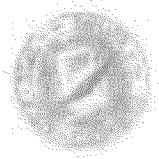
WWW.SENATE.CA.GOV/HILL
SENATOR.HILL@SENATE.CA.GOV

SENATOR
JERRY HILL

THIRTEENTH SENATE DISTRICT
DEMOCRATIC CAUCUS CHAIR

COMMITTEES
BANKING & FINANCIAL INSTITUTIONS
CHAIR
APPROPRIATIONS
BUDGET & FISCAL REVIEW
BUDGET SUBCOMMITTEE #4
STATE ADMINISTRATION & GENERAL
GOVERNMENT
BUSINESS, PROFESSIONS &
ECONOMIC DEVELOPMENT
ENERGY, UTILITIES &
COMMUNICATIONS
LABOR & INDUSTRIAL RELATIONS

April 18, 2013



Michael Peevey
President, California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

RE: Request to participate in April 25, 2013 Senate Budget and Fiscal Review Subcommittee Hearing

Dear President Peevey:

I'm writing to request your presence at next week's Senate Budget and Fiscal Review Subcommittee hearing, chaired by Senator Jim Beall, at which time the California Public Utilities Commission (CPUC) will be questioned about various fiscal, accountability and safety issues.

In light of the CPUC "Safety Culture" document that was made public this week and exposes serious problems within your Commission, I think it's appropriate for you to answer questions about the agency you've overseen for the last ten years. Here are a few examples of CPUC employee quotes from the report that warrant your participation in next week's hearing:

- "For years, the Commissioners did not want to levy fines for safety violations. The culture was: we will work with the utilities without using the stick...A decade of no fines."
- "Safety staff did not feel empowered to suggest large fines because the Commissioners would not approve them."
- Commissioners need more political backbone to fine or punish utilities."
- "When Commissioners vote, they don't support safety, so there's no incentive for the utilities to be safer. If they knew they were 100% liable for safety problems, they'd take it more seriously. If the commission lets them put the burden on ratepayers, rather than shareholders, there is no incentive for the utilities to change."

This isn't the first time an independent report has been highly critical of the CPUC's practices under your watch. The CPUC's Independent Review Panel report released in 2011 after the San Bruno gas pipeline explosion stated that the CPUC, "...must confront and change elements of their respective cultures to assure the citizens of California that public safety is the foremost priority."

The National Transportation Safety Board investigation of the San Bruno gas-pipeline explosion was highly critical of your oversight of PG&E during your term as CPUC President. The report stated, "The CPUC, as the regulator for pipeline safety within California, failed to uncover the pervasive and long-standing problems within PG&E." The report continues, "Consequently, this failure precluded the CPUC from taking any enforcement action against PG&E."

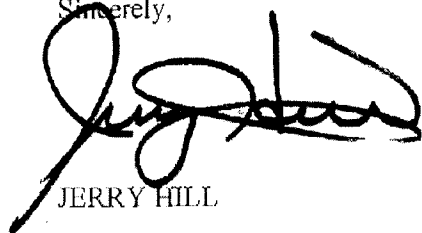
In January of 2012 another independent audit commissioned by the CPUC confirmed that PG&E collected more than a half-billion dollars from ratepayers in recent years for system improvements that never were made. Some of that money was spent instead on cash bonuses to PG&E's corporate executives. Had the money been invested as promised, it might have prevented the San Bruno gas pipeline explosion that killed eight people and destroyed 38 homes.

Earlier this year the Legislative Analyst's Office found "fiscal mismanagement" in the CPUC's budgeting process including failure to complete basic audits of utilities' special accounts raising the possibility that ratepayers have been routinely overcharged by utilities.

For all of the shortcomings under your leadership at the CPUC over the last ten years as documented by independent reports, it's critical that you testify before the Senate Budget and Fiscal Review Subcommittee hearing next week to justify your continued appointment as president of the California Public Utilities Commission.

I look forward to seeing you next week. Thank you for your consideration of this request.

Sincerely,

A handwritten signature in black ink, appearing to read "Jerry Hill", written over the word "Sincerely,".

JERRY HILL

Senator, 13th District