

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)

DECLARATION OF DARRYL J. GRUEN

I, Darryl J. Gruen, declare under penalty of perjury that the following is true and correct to the best of my knowledge and belief:

1. I am a Staff Counsel in the Energy Transmission Section in Legal Division. Among my responsibilities, I represent the Consumer Protection and Safety Division (CPSD), now known as the Safety and Enforcement Division (SED) in the Order Instituting Investigations (OII) involving the San Bruno explosion in I.12-01-007 (San Bruno OII), and Pacific Gas and Electric Company's (PG&E) inadequate recordkeeping in I.11-02-016 (Recordkeeping OII).

2. On March 25, 2013, I learned that the National Transportation Safety Board (“NTSB”) closed out its investigation of Pacific Gas and Electric Company’s (“PG&E”) MAOP Validation Effort.

3. On March 27, 2013, on behalf of CPSD/SED, I issued Data Request 97 to PG&E, in which I asked it to produce a letter from its President, Chris Johns, addressed to NTSB Chairman, Deborah Hersman.

4. On March 29, 2013, I received Data Response 97 from PG&E, including the letter from President Johns to Chairman Hersman.

5. On March 28, 2013, on behalf of CPSD/SED, I issued Data Request 98 to PG&E, in which I asked two questions designed to clarify whether PG&E had completed its MAOP validation effort. (See Appendix 1).

6. On April 2, 2013, I received Data Response 98 from PG&E. In this Data Response, PG&E refused to answer my questions, partly because it claimed that “the evidentiary record is closed and this proceeding is now in the post-hearing briefing stage”. (See Appendix 2).

7. As the reply brief in I.11-02-016 was due April 24, 2013, I had insufficient time to follow up on PG&E’s refusal to provide the requested information in Data Response 98.

8. Attached is a chart from PG&E’s website, showing the range of its stock price from the last year. (See Appendix 3). This chart shows that PG&E’s stock price ranged from a 52-week low of \$39.40 to a 52-week high of \$48.50. PG&E’s closing stock price from today is at the higher end of the range from the last year.

9. Attached hereto is a spreadsheet showing PG&E’s stock price each day, derived from the New York Stock Exchange, from July 15, 2013, the day before CPSD submitted its amended reply brief, until today. (See Appendix 4). According to this spreadsheet, PG&E’s stock has opened and closed each of these days at or above a price of \$45 per share.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on July 26, 2013, in San Francisco, California.

/s/ DARRYL J. GRUEN

Darryl J. Gruen