

From: Brown, Carol A.  
Sent: 1/7/2014 2:51:26 PM  
To: Cherry, Brian K (/O=PG&E/OU=CORPORATE/CN=RECIPIENTS/CN=BKC7)  
Cc:  
Bcc:  
Subject: RE:

No – it won't be retroactive

**From:** Cherry, Brian K [mailto:BKC7@pge.com]  
**Sent:** Tuesday, January 07, 2014 1:13 PM  
**To:** Brown, Carol A.  
**Subject:** RE:

You will get the authority to fine shortly. There is a resolution pending. Can't we wait for that ?

If not, we could negotiate a consent decree.

As for sharing best practices, there is a big difference between sharing best practices and actually implementing new, unprecedented rules about the utilities responsibility for safety with third party contractors. Trying to force rule changes under anything other than an OIR isn't wise. Just being practical when I say this.

Let me know what he thinks.

**From:** Brown, Carol A. [mailto:carol.brown@cpuc.ca.gov]  
**Sent:** Tuesday, January 07, 2014 1:07 PM  
**To:** Cherry, Brian K  
**Subject:** RE:

Yes – and I have looped the boss in – problem is there is no authority to fine/cite you – first off there is no citation authority and – even if there were – you did not violate any

GO/statute/code

And – there is no appetite for an OIR – everyone thinks all the utilities can just get together – after all it is in your own best interest – and share “best practices” with one another and keep us out of it!

I have alerted the boss to the issue and will let you know his reaction

**From:** Cherry, Brian K [mailto:BKC7@pge.com]  
**Sent:** Tuesday, January 07, 2014 12:50 PM  
**To:** Brown, Carol A.  
**Subject:**

Hear anything from Lisa ?

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