

Mediation Process  
Attendance Confirmation and  
Confidentiality Agreement

CPUC Proceeding No: A.09-08-020

Dates of Mediation: May 13, 2010 through July 17, 2010

The parties of record in the above proceeding and The Utility Reform Network, which seeks party status (collectively or plural, the "Parties," individually, a "Party"), voluntarily and in good faith agree to continue the process of mediation, which began on February 3, 2010, through July 17, 2010, (the "mediation period"). In order to provide an environment that is conducive to candid settlement discussions, the Parties also agree that:

- All communication, negotiation or offers of settlement by and between any Parties for the purpose of the mediation during the mediation period, and any private consultations related to the mediation process, shall be kept confidential.
- No evidence of any statements or admissions made for the purpose of the mediation process is admissible or subject to discovery, and the disclosure of the evidence shall not be compelled in any arbitration, administrative proceeding, civil action or non-criminal proceeding.
- Any statements, admissions or writings made during the mediation process shall, to the same extent, remain confidential after the mediation period ends
- Disclosure of any confidential information is a breach of this agreement, and any Party may obtain injunctive relief to prevent such disclosure.
- The Parties (and representatives) agree not to communicate with any decision-makers (e.g., Commissioners, Advisors) related to A.09-08-020 during the mediation period. This agreement does not prohibit Parties from communicating with decision-makers regarding R.08-11-005, A.09-08-019, or other related proceedings.
- Upon consent of all Parties, any agreement or result, written or otherwise, prepared in the course of this mediation may become part of the record in this proceeding.
- These mediation services are provided by the Commission without charge.
- Parties shall make a good faith effort to mark all written and electronic communications relating to the mediation process as confidential.

Mediator \_\_\_\_\_, date \_\_\_\_\_

Party (Name) \_\_\_\_\_

By: \_\_\_\_\_, date \_\_\_\_\_

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