



FILED

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**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

Order Instituting Investigation and Ordering
Pacific Gas and Electric Company to Appear
and Show Cause Why It Should Not Be
Sanctioned for Violations of Article 8 and
Rule 1.1 of the Rules of Practice and
Procedure and Public Utilities Code Sections
1701.2 and 1701.3.

Investigation 15-11-015
(Filed November 23, 2015)

**MOTION OF PACIFIC GAS AND ELECTRIC COMPANY (U 39M) IN RESPONSE TO
SEPTEMBER 1, 2017 PROPOSED DECISION ON JOINT MOTION OF THE CITY OF
SAN BRUNO, THE CITY OF SAN CARLOS, THE OFFICE OF RATEPAYER
ADVOCATES, THE SAFETY AND ENFORCEMENT DIVISION, THE UTILITY
REFORM NETWORK, AND PACIFIC GAS AND ELECTRIC COMPANY FOR
ADOPTION OF SETTLEMENT AGREEMENT**

**[PUBLIC VERSION]
[ATTACHMENT CONTAINS REDACTIONS]**

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Dated: September 21, 2017

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OF THE STATE OF CALIFORNIA**

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Pacific Gas and Electric Company (“PG&E”) submits this motion pursuant to Ordering Paragraph 2 of the Assigned Administrative Law Judge’s (“ALJ”) September 1, 2017 Proposed Decision (the “Proposed Decision”). The Proposed Decision conditionally approved a settlement agreement (the “Settlement Agreement”) in this matter between the City of San Bruno, the City of San Carlos, the Office of Ratepayer Advocates, the Safety and Enforcement Division, The Utility Reform Network (together, the “non-PG&E Parties”), and PG&E, provided that PG&E “agree[s] to pay the proposed fine amount of \$12 million to the State of California General Fund,” which is an \$11 million increase over the General Fund payment that was contemplated by the Settlement Agreement. The Proposed Decision directed that, if PG&E agrees to pay the \$12 million fine to the General Fund, it should “fil[e] a motion accepting the \$12 million fine within 20 days from the date this proposed decision is served,” after which “a revised proposed decision will be issued.” Proposed Decision, Ordering Paragraphs 2-3.

PG&E submits this motion to indicate that it is willing to accept the Proposed Decision's modification of Section 2.2.A of the Settlement Agreement to increase PG&E's payment to the State of California General Fund from \$1 million to \$12 million.

Further, PG&E hereby reports on a recent development. In the course of responding to an unrelated governmental agency inquiry, PG&E has identified several communications reflected in emails in the 2013 to 2014 time frame that it is submitting with this motion. Many of the emails are being provided because they appear to give context to a communication reflected in one or more of the other emails. Two of the emails require redaction, because they reference confidential settlement communications or sensitive third-party information. PG&E will separately file a motion to file under seal unredacted copies of these.

PG&E is providing these emails to the Commission in this matter in recognition of the fact that they appear to raise issues similar to other communications that the Non-PG&E parties asked to bring into this proceeding and that became part of the basis for the Settlement Agreement in this matter. As noted in the paragraph 9 of Settlement Agreement, the parties did not agree whether all of the communications in this proceeding were violations. While the specific communications provided here were not part of the record of this proceeding, their general nature is not new. They are from 2013 and 2014 and involve a former officer in the company who was held accountable for his conduct and has not worked for PG&E since September 2014. Since that time, PG&E has implemented many enhanced procedures and protocols that ensure compliance with the Commission's rules, which are audited regularly.

Yesterday, PG&E alerted the Non-PG&E Parties to these communications (without providing them) and asked to meet in the coming days to discuss them. PG&E will provide to the Commission a short status report concerning any such discussions by October 2, 2017. In

order to give the Parties sufficient time to determine the appropriate steps to be taken concerning these communications in light of the Settlement Agreement, PG&E respectfully requests that the Assigned ALJ not issue any revised Proposed Decision until at least October 10, 2017.

PG&E apologizes to all Parties and the Commission for the resolution of this important matter being further delayed and reiterates its commitment to full compliance with Commission rules.

Respectfully Submitted,

By: _____/s/
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