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RIM/sf3 3/22/2017

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 19, 2015)

E-MAIL RULING CONTINUING BRIEFING SCHEDULE

Dated March 22, 2017, at San Francisco, California.

/s/ ROBERT MASON

Robert Mason
Administrative Law Judge

From: Mason, Robert

Sent: Wednesday, March 22, 2017 10:59 AM

To: U'u, Tauvela (Law)

Cc: RegRelCPUCCases; Grinberg, Igor; Vege, Anu; 'mdjoseph@adamsbroadwell.com'; 'wmc@a-klaw.com'; 'Douglass@EnergyAttorney.com'; 'jessie.crozier@baml.com'; 'cem@newsdata.com'; 'Paul.Zimbaro@Citadel.com'; ALJ Docket Office; 'Kevin.Fallon@Citadel.com'; 'grubens@adcl.com'; 'NJohnson@Consumercal.org'; 'VidhyaPrabhakaran@dwt.com'; 'DWTcpucDockets@dwt.com'; 'stevegreenwald@dwt.com'; 'ATrowbridge@DayCarterMurphy.com'; 'john.leslie@dentons.com'; 'jonathan.arnold@db.com'; 'lauren.duke@db.com'; 'Constantine.Lednev@db.com'; 'John@DicksonGeesman.com'; 'Liddell@EnergyAttorney.com'; 'CPUCdockets@eq-research.com'; 'Will.Zhang@LNZCapital.com'; 'SSwaroop@mceCleanEnergy.org'; 'Gregory.Reiss@mlp.com'; 'Jim.Kobus@morganstanley.com'; 'Arman.Tabatabai@MorganStanley.com'; 'mrw@mrwassoc.com'; 'LDolqueist@nossaman.com'; 'mmattes@nossaman.com'; 'bryan.bertacchi@radback.com'; 'jim.mclucas@radback.com'; 'sballesteros@semprautilities.com'; 'francis.mcnulty@sce.com'; 'YMejia@SempraUtilities.com'; 'masherman@stubbbsalderton.com'; 'StephanieC@greenlining.org'; 'tlong@turn.org'; 'fkerman@visiumfunds.com'; 'SLudwick@zimmerpartners.com'; 'nms@cpuc.ca.gov'; 'smeyers@meyersnave.com'; 'bstrottman@meyersnave.com'; 'gxh@cpuc.ca.gov'; 'hayley@turn.org'; 'cjh@cpuc.ca.gov'; 'rim@cpuc.ca.gov'; 'cn1@cpuc.ca.gov'; 'ao1@cpuc.ca.gov'; 'rp1@cpuc.ca.gov'; 'jr8@cpuc.ca.gov'; 'ns4@cpuc.ca.gov'; 'tony.marino@sen.ca.gov'; Law CPUC Cases; Wilson, Michelle; Sean.Coyle@lw.com; 'KIRK.WILKINSON@lw.com'; ALJ Process; ALJ_Support ID; Chaset, Nicolas L.

Subject: RE: I.15-11-015, Ex Parte OII, E Mail Ruling Continuing Briefing Schedule

Dear Parties,

Pursuant to the request and subsequent discussions, this e mail ruling continues the briefing schedule as follows:

- If the parties reach a settlement, then the Joint Motion for Adoption of the Settlement shall be filed and served no later than April 4, 2017.
- If the parties fail to reach a settlement, the deadline to file Opening Briefs is continued to May 8, 2017, and Reply Briefs due on May 30, 2017.

Docket Office shall formally file this ruling.

Robert M. Mason III
Administrative Law Judge
California Public Utilities Commission
505 Van Ness Ave, 5th Floor
San Francisco, California, 94102
rim@cpuc.ca.gov

From: U'u, Tauvela (Law) [<mailto:TVU1@pge.com>]

Sent: Tuesday, March 21, 2017 2:36 PM

To: Mason, Robert

Cc: RegRelCPUCcases; Grinberg, Igor; Vege, Anu; 'mdjoseph@adamsbroadwell.com'; 'wmc@aklaw.com'; 'Douglass@EnergyAttorney.com'; 'jessie.crozier@baml.com'; 'cem@newsdata.com'; 'Paul.Zimbaro@Citadel.com'; 'Kevin.Fallon@Citadel.com'; 'grubens@adcl.com'; 'NJohnson@Consumercal.org'; 'VidhyaPrabhakaran@dwt.com'; 'DWTcpucDockets@dwt.com'; 'stevegreenwald@dwt.com'; 'ATrowbridge@DayCarterMurphy.com'; 'john.leslie@dentons.com'; 'jonathan.arnold@db.com'; 'lauren.duke@db.com'; 'Constantine.Lednev@db.com'; 'John@DicksonGeesman.com'; 'Liddell@EnergyAttorney.com'; 'CPUCdockets@eq-research.com'; 'Will.Zhang@LNZCapital.com'; 'SSwaroop@mceCleanEnergy.org'; 'Gregory.Reiss@mlp.com'; 'Jim.Kobus@morganstanley.com'; 'Arman.Tabatabai@MorganStanley.com'; 'mrw@mrwassoc.com'; 'LDolqueist@nossaman.com'; 'mmattes@nossaman.com'; 'bryan.bertacchi@radback.com'; 'jim.mclucas@radback.com'; 'sballesteros@semprautilities.com'; 'francis.mcnulty@sce.com'; 'YMejia@SempraUtilities.com'; 'masherman@stubbsalderton.com'; 'StephanieC@greenlining.org'; 'tlong@turn.org'; 'fkerman@visiumfunds.com'; 'SLudwick@zimmerpartners.com'; 'nms@cpuc.ca.gov'; 'smeyers@meyersnave.com'; 'bstrottman@meyersnave.com'; 'gxh@cpuc.ca.gov'; 'hayley@turn.org'; 'cjh@cpuc.ca.gov'; 'rim@cpuc.ca.gov'; 'cn1@cpuc.ca.gov'; 'ao1@cpuc.ca.gov'; 'rp1@cpuc.ca.gov'; 'jr8@cpuc.ca.gov'; 'ns4@cpuc.ca.gov'; 'tony.marino@sen.ca.gov'; Law CPUC Cases; Wilson, Michelle; Sean.Coyle@lw.com; 'KIRK.WILKINSON@lw.com'

Subject: RE: I.15-11-015, Ex Parte OII, Request to Take Briefing Schedule Off Calendar

Dear Judge Mason:

PG&E, the City of San Bruno, the City of San Carlos, the Office of Ratepayer Advocates, the Safety and Enforcement Division, and The Utility Reform Network (the "Parties") have noticed a settlement conference on March 27, 2017, and at this time are optimistic that, after the settlement conference, the Parties will be able to execute a settlement agreement and file a joint motion for adoption that same day, and no later than March 31, 2017. To account for the contingencies you have outlined below, we propose that the briefing schedule be extended 45 days, so that opening briefs would be due May 8, 2017 and reply briefs due May 30, 2017. (May 29, 2017 is a holiday.)

Respectfully,

Tauvela U'u, on behalf of
Kirk A. Wilkinson, Esq., LATHAM & WATKINS LLP
Attorney for Pacific Gas and Electric Company
77 Beale Street, B30A, San Francisco, CA 94105
Telephone: (415) 973-0328
Email: tvu1@pge.com

From: Mason, Robert [<mailto:robert.mason@cpuc.ca.gov>]

Sent: Tuesday, March 21, 2017 10:45 AM

To: U'u, Tauvela (Law)

Cc: RegRelCPUCCases; Grinberg, Igor; Vege, Anu; 'mdjoseph@adamsbroadwell.com'; 'wmc@aklaw.com'; 'Douglass@EnergyAttorney.com'; 'jessie.crozier@baml.com'; 'cem@newsdata.com'; 'Paul.Zimbaro@Citadel.com'; 'Kevin.Fallon@Citadel.com'; 'grubens@adcl.com'; 'NJohnson@Consumercal.org'; 'VidhyaPrabhakaran@dwt.com'; 'DWTcpucDockets@dwt.com'; 'stevegreenwald@dwt.com'; 'ATrowbridge@DayCarterMurphy.com'; 'john.leslie@dentons.com'; 'jonathan.arnold@db.com'; 'lauren.duke@db.com'; 'Constantine.Lednev@db.com'; 'John@DicksonGeesman.com'; 'Liddell@EnergyAttorney.com'; 'CPUCdockets@eq-research.com'; 'Will.Zhang@LNZCapital.com'; 'SSwaroop@mceCleanEnergy.org'; 'Gregory.Reiss@mlp.com'; 'Jim.Kobus@morganstanley.com'; 'Arman.Tabatabai@MorganStanley.com'; 'mrw@mrwassoc.com'; 'LDolqueist@nossaman.com'; 'mmattes@nossaman.com'; 'bryan.bertacchi@radback.com'; 'jim.mclucas@radback.com'; 'sballesteros@semprautilities.com'; 'francis.mcnulty@sce.com'; 'YMejia@SempraUtilities.com'; 'masherman@stubbsalderton.com'; 'StephanieC@greenlining.org'; 'tlong@turn.org'; 'fkerman@visiumfunds.com'; 'SLudwick@zimmerpartners.com'; 'nms@cpuc.ca.gov'; 'smeyers@meyersnave.com'; 'bstrottman@meyersnave.com'; 'gxh@cpuc.ca.gov'; 'hayley@turn.org'; 'cjh@cpuc.ca.gov'; 'rim@cpuc.ca.gov'; 'cn1@cpuc.ca.gov'; 'ao1@cpuc.ca.gov'; 'rp1@cpuc.ca.gov'; 'jr8@cpuc.ca.gov'; 'ns4@cpuc.ca.gov'; 'tony.marino@sen.ca.gov'; Law CPUC Cases
Subject: RE: I.15-11-015, Ex Parte OII, Request to Take Briefing Schedule Off Calendar

This is an EXTERNAL EMAIL. Stop and think before clicking links or opening attachments.

Dear Parties,

I am glad to see that you are continuing with your settlement talks, and I hope that they lead to a mutually agreeable resolution.

That being said, I must address your request that I “take the current briefing schedule off calendar.” Based on the current schedule, Opening Briefs are due March 24, 2017, and Reply Briefs are due April 14, 2017. I take it you do not mean that the briefing schedule be taken off calendar indefinitely (which I will not grant) but, instead, you are asking that a new briefing schedule be devised that allows the parties the opportunity to focus their full efforts on settlement (which I will grant).

But complicating this request is the fact that the statutory deadline for this proceeding was extended from November 18, 2016 to May 17, 2017. I need to come up with a second deadline extension that provides the parties with enough time to either

(a) settle the case, which also requires that the parties have time to file a motion for approval of the settlement, that I have time to draft a decision, and the Commission has time to vote on the decision; or

(b) have evidentiary hearings if the case does not settle, which also requires that the parties have time to file testimony and post hearing briefs, that I have sufficient time to write a decision, and that the Commission have sufficient time to vote on the decision.

As such, I would like the parties to discuss amongst themselves and get back to me by the close of business today with a proposed revised briefing schedule if the case does not settle, and a proposed schedule for filing a motion for approval of the settlement if in fact the case does settle.

Thank you for your attention to this matter and good luck with the upcoming settlement discussions.

Robert M. Mason III
Administrative Law Judge
California Public Utilities Commission
505 Van Ness Ave, 5th Floor
San Francisco, California, 94102
rim@cpuc.ca.gov

From: U'u, Tauvela (Law) [<mailto:TVU1@pge.com>]

Sent: Monday, March 20, 2017 3:54 PM

To: Mason, Robert

Cc: RegRelCPUCCases; Grinberg, Igor; Vege, Anu; 'mdjoseph@adamsbroadwell.com'; 'wmc@a-klaw.com'; 'Douglass@EnergyAttorney.com'; 'jessie.crozier@baml.com'; 'cem@newsdata.com'; 'Paul.Zimbardo@Citadel.com'; 'Kevin.Fallon@Citadel.com'; 'grubens@adcl.com'; 'NJohnson@Consumercal.org'; 'VidhyaPrabhakaran@dwt.com'; 'DWTcpucDockets@dwt.com'; 'stevegreenwald@dwt.com'; 'ATrowbridge@DayCarterMurphy.com'; 'john.leslie@dentons.com'; 'jonathan.arnold@db.com'; 'lauren.duke@db.com'; 'Constantine.Lednev@db.com'; 'John@DicksonGeesman.com'; 'Liddell@EnergyAttorney.com'; 'CPUCdockets@eq-research.com'; 'Will.Zhang@LNZCapital.com'; 'SSwaroop@mceCleanEnergy.org'; 'Gregory.Reiss@mlp.com'; 'Jim.Kobus@morganstanley.com'; 'Arman.Tabatabai@MorganStanley.com'; 'mrw@mrwassoc.com'; 'LDolqueist@nossaman.com'; 'mmattes@nossaman.com'; 'bryan.bertacchi@radback.com'; 'jim.mclucas@radback.com'; 'sballesteros@semprautilities.com'; 'francis.mcnulty@sce.com'; 'YMejia@SempraUtilities.com'; 'masherman@stubbsalderton.com'; 'StephanieC@greenlining.org'; 'tlong@turn.org'; 'fkerman@visiumfunds.com'; 'SLudwick@zimmerpartners.com'; 'nms@cpuc.ca.gov'; 'smeyers@meyersnave.com'; 'bstrottman@meyersnave.com'; 'gxh@cpuc.ca.gov'; 'hayley@turn.org'; 'cjh@cpuc.ca.gov'; 'rim@cpuc.ca.gov'; 'cn1@cpuc.ca.gov'; 'ao1@cpuc.ca.gov'; 'rp1@cpuc.ca.gov'; 'jr8@cpuc.ca.gov'; 'ns4@cpuc.ca.gov'; 'tony.marino@sen.ca.gov'; Law CPUC Cases

Subject: I.15-11-015, Ex Parte OII, Request to Take Briefing Schedule Off Calendar

Dear ALJ Mason:

By separate notice to the service list (see below), PG&E, the City of San Bruno, the City of San Carlos, the Office of Ratepayer Advocates, the Safety and Enforcement Division, and The Utility Reform Network (the "Parties") have indicated that they intend to hold a settlement conference on March 27, 2017. The briefing schedule in this matter calls for opening briefs to be submitted by March 24, 2017, and for reply briefs to be submitted by April 14, 2017. Given that the Parties have noticed a settlement conference and are hopeful they can conclude negotiations by that date, the Parties hereby respectfully request that the ALJ take the current briefing schedule off calendar.

PG&E is authorized to submit this email on behalf of the Parties.

Tauvela U'u, on behalf of
Kirk A. Wilkinson, Esq., LATHAM & WATKINS LLP
Attorney for Pacific Gas and Electric Company
77 Beale Street, B30A, San Francisco, CA 94105
Telephone: (415) 973-0328
Email: tvu1@pge.com

From: U'u, Tauvela (Law)
Sent: Monday, March 20, 2017 3:34 PM
To: RegRelCPUCCases; Grinberg, Igor; Vege, Anu; 'mdjoseph@adamsbroadwell.com'; 'wmc@a-klaw.com'; 'Douglass@EnergyAttorney.com'; 'jessie.crozier@baml.com'; 'cem@newsdata.com'; 'Paul.Zimbardo@Citadel.com'; 'Kevin.Fallon@Citadel.com'; 'grubens@adcl.com'; 'NJohnson@Consumercal.org'; 'VidhyaPrabhakaran@dwt.com'; 'DWTcpucDockets@dwt.com'; 'stevegreenwald@dwt.com'; 'ATrowbridge@DayCarterMurphy.com'; 'john.leslie@dentons.com'; 'jonathan.arnold@db.com'; 'lauren.duke@db.com'; 'Constantine.Lednev@db.com'; 'John@DicksonGeesman.com'; 'Liddell@EnergyAttorney.com'; 'CPUCdockets@eq-research.com'; 'Will.Zhang@LNZCapital.com'; 'SSwaroop@mceCleanEnergy.org'; 'Gregory.Reiss@mlp.com'; 'Jim.Kobus@morganstanley.com'; 'Arman.Tabatabai@MorganStanley.com'; 'mrw@mrwassoc.com'; 'LDolqueist@nossaman.com'; 'mmattes@nossaman.com'; 'bryan.bertacchi@radback.com'; 'jim.mclucas@radback.com'; 'sballesteros@semprautilities.com'; 'francis.mcnulty@sce.com'; 'YMejia@SempraUtilities.com'; 'masherman@stubbsalderton.com'; 'StephanieC@greenlining.org'; 'tlong@turn.org'; 'fkerman@visiumfunds.com'; 'SLudwick@zimmerpartners.com'; 'nms@cpuc.ca.gov'; 'smeyers@meyersnave.com'; 'bstrottman@meyersnave.com'; 'gxh@cpuc.ca.gov'; 'hayley@turn.org'; 'cjh@cpuc.ca.gov'; 'rim@cpuc.ca.gov'; 'cn1@cpuc.ca.gov'; 'ao1@cpuc.ca.gov'; 'rp1@cpuc.ca.gov'; 'jr8@cpuc.ca.gov'; 'ns4@cpuc.ca.gov'; 'tony.marino@sen.ca.gov'; Law CPUC Cases
Subject: I.15-11-015, Ex Parte OII, Notice of Settlement Conference

To the Service List for I.15-11-015:

Pursuant to CPUC Rule 12.1(b), a settlement conference will be held at the following time and place:

Date: March 27, 2017

Time: 10:00 am (Pacific)

Location: Offices of Pacific Gas and Electric Company, 601 Van Ness Avenue, San Francisco, CA 94102

PG&E, the City of San Bruno, the City of San Carlos, the Office of Ratepayer Advocates, the Safety and Enforcement Division, and The Utility Reform Network (the "Parties") have been negotiating a resolution to proceeding I. 15-11-015. By calling this settlement conference and providing notice to the service list, the Parties are hopeful that they can successfully conclude negotiations and produce a settlement agreement.

As required by the Commission's rules, discussions at the settlement conference shall be confidential. Attendance at the conference shall be limited to parties and their representatives, and shall not include those persons receiving this notice who are not formal parties on the service list.

If you plan to attend the March 27, 2017 meeting, please RSVP to Kirk A. Wilkinson (Kirk.Wilkinson@lw.com) by March 24, 2017.

Please feel free to contact Kirk A. Wilkinson with any questions. Thank you for your attention to this matter.

Tauvela U'u, on behalf of
Kirk A. Wilkinson, Esq., LATHAM & WATKINS LLP
Attorney for Pacific Gas and Electric Company
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Telephone: (415) 973-0328
Email: tvu1@pge.com