BEFORE THE PUBLIC UTILITIES COMMISSION

OF THE

STATE OF CALIFORNIA

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ADMINISTRATIVE LAW JUDGE STEPHEN C. ROSCOW, presiding

	)	STATUS
	)	CONFERENCE
	)	
Application of Pacific Gas and	)	
Electric Company for Authority,	)	
Among Other Things, to Increase	)	Application
Rates and Charges for Electric and	)	15-09-001
Gas Service Effective on January 1,	)	
2017. (U39M)	)	
	)	

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ADMINISTRATIVE LAW JUDGE ROSCOW: We'll be on the record. Good morning, everybody. The Commission will come to order.

This is the time and place set for the Status Conference in Application 15-09-001, which is the Application of Pacific Gas and Electric Company for authority among other things to increase rates and charges for electric and gas service effective on January 1st, 2017. It's PG&E's Phase 1 General Rate Case and today's topic is a compliance item from that rate case which is the audit that is near completion of PG&E's Rule 20 undergrounding program.

My name is Steve Roscow. I am the ALJ assigned to the proceeding. At this time, President Picker, who is retired, is still shown as the assigned Commissioner and the reason for that is once this audit is delivered and we have a few -- we have a petition for modification, once that's finished, we'll be able to close the proceeding. So at this time we are not going to, or the Commission won't assign a new

Commissioner unless it's necessary. But whenever a Commissioner leaves, all the proceedings go back to the President's Office. And so that is who is overseeing everything that we do to finish out this proceeding.

So, let's see our agenda today. I have got three things on my agenda and I am going to propose to do them in the following order:

First, we'll do kind of a schedule update just to make sure we're on track to finish up the audit and talk about next steps, if any. That shouldn't take very long.

Secondly, I want to talk about the matters that were raised in the Executive Director's letter granting PG&E and AzP an extension of time for completing the audit. And then there's some resource questions that go along with that that we'll finish up with.

Does that make sense, Ms. Kim, for everything that should be on our agenda today? Anything else?

MS. KIM: Yes, your Honor.

ALJ ROSCOW: Okay. Good. So why don't we do introductions?

First let's start with Commission

staff who is here today. We have Ms. Kwasny from the Legal Department, Legal Division, who is our attorney.

And then we have Jonathan Frost. Mr. Frost is the lead analyst on this, has been from day one and knows all of this better than any of us, I think; his supervisor Mr. Petlin, Dave Petlin, and Mr. Petlin's supervisor, Ms. Sterkel.

That reminds me that, so we are on the record today and I am going to be calling on different people and I want to make sure that those people have a chance to answer first before people start talking and trying to answer on top of each other. That's for the reporter. Speak slowly, that sort of thing. If you have something to add, just, you know, give me a -- raise your hand, anything like that. Just give me an indication and I will make sure everybody is heard on everything that I am asking about.

So, Mr. Frost, why don't you introduce our consultants?

MR. FROST: Yes, your Honor. So I would like to introduce Ms. Ara Azad to my right. And further to my right we have Mr. Ryan Pfaff.

ALJ ROSCOW: Could you pronounce your

last name, Mister --

MR. PFAFF: It's Pfaff.

ALJ ROSCOW: Pfaff. And Ms. Azad.

MR. PFAFF: The first "f" is silent.

ALJ ROSCOW: Sorry?

MR. PFAFF: The first "f" is silent.

ALJ ROSCOW: I'm well-known here for mangling. Even Mr. Smith, I can mangle it. I can forget it. So, my apologies in advance.

And then we've got Ms. Kim from PG&E. And who have we got here with you?

MS. KIM: Yes. Thank you, your Honor.

My name is Ann Kim and I am the Rule 20A attorney. I am not the attorney in the 2017 GRC.

To my right is Tamon Norimoto. He is the manager of PG&E's Rule 20A program. And to his right is Bruce Smith, who is a Chief Regulatory Analyst within our Regulatory Affairs organization and he is responsible for overseeing the audit.

ALJ ROSCOW: All right. Very good. Then let's get right to it. So first the schedule.

Let's see. I think the extension request sets the date that -- gave PG&E the date requested and it's next week, right, for

finishing the report. And that is October 15th. Yes?

MS. AZAD: Yes.

ALJ ROSCOW: And we are on schedule for that?

MS. AZAD: We are, yes.

ALJ ROSCOW: Okay. Good. Good. That's easy.

Now, Ms. Kim, I think that I was looking at the Ordering Paragraphs and so on, and this is essentially a compliance item from the main decision in the GRC and with the delivery of the plan, that satisfied the compliance item in the main GRC. And then there was a March 2018 decision that talked about the scope of the audit and so on and so forth. And there was nothing in that decision that indicated what the Commission might do with the audit once the audit was delivered.

So I think we're at a situation where we'll see what it says and then internally at the Commission, the Energy Division and so on will determine whether there's any next steps, but once the audit's delivered, that's what is required officially in this proceeding.

MS. KIM: That is PG&E's understanding

as well.

ALJ ROSCOW: Okay. Good. So that is -- that's that on schedule.

I think in terms of timing, is there anything else that we need to talk about in terms of timing?

MS. KIM: No, your Honor.

ALJ ROSCOW: So that's it for topic one; on to topic two. So that's the extension letter.

So, typically when -- so the process here at the Commission is when a utility needs more time to comply with Ordering Paragraph, they send -- under our Rules of Practice and Procedure, the requirement is that the utility send a letter to the Commission Executive Director asking for more time. And I don't know whether it's well-known or not, but usually that goes to the judge and the judge decides whether more time is appropriate and drafts a first draft of the letter for the Executive Director. And then it goes from there and the Energy Division reviews it and if everything is fine, the letter goes out. And there's many times when there's issues with the request and the extension request is not granted.

I happen to pride myself on banging

out these letters really quickly. And I was also about to go on vacation back in July when Mr. Jacobson sent the letter. So I banged it out. And my method is to rearrange all the paragraphs in the utility's letter in a way that grants the request. And so I banged it out, sent it out and got ready for from my vacation.

And then I heard from Energy Division, "Well, no. There's actually some issues. And if you're going to grant the request, there's some things that we'd like to say in the request." And so I banged out another one that politely, you know, raised those issues and then I went on vacation.

The letter that went out, I thought had a tone that I as the judge made some allegations that I as the judge wouldn't have included in the letter. And so I wanted to address that now because I didn't want any bad feelings on behalf of PG&E.

So, but I think there's some underlying information that we're going to need. So the letter says -- it's got the summary of what PG&E's requesting on behalf of AzP. Then the letter says:

It is the Commission's understanding this work has

not been completed in a timely manner due to the failure of PG&E to assign adequate staff which would have insured the work was completed without delay and the deadline for the auditor's report was met.

An then the letters concludes, "Please be informed this must not" -- it grants the extension, but then it says:

Please be informed this must not be considered to be the first in a series of requests and corresponding extensions. We will not accept without consequences failure of AzP and PG&E to meet the extended October 15, 2019 deadline.

So this is not really my style to say those things, allege those things in a letter like that, because we don't have any facts about whether PG&E did or didn't assign adequate staff. And so I just wanted to note it on the record because there's plenty of times when the utilities do get in trouble for things and this wasn't really one of

them.

And Mr. Jacobson owes me one day in Paris of vacation because I wasted a day redrafting this letter and then it was ignored.

MS. KIM: I believe that violates the gift rule.

(Laughter.)

ALJ ROSCOW: I tried to get ALJ management to give me the free day and they wouldn't either.

So but -- so I hope that clears the air on that, I hope.

MS. KIM: Thank you.

ALJ ROSCOW: However -- you're welcome.

However, let's talk a little bit about the reasons for the delay.

So, I have looked at the discovery requests. They're voluminous. I basically have only skimmed them but they seemed on point.

And maybe Ms. Azad can talk a little bit about the timing. It's typical you see kind of, deep into the process you see the requester asking for an update and let's clear the air on when these things are due and how long it might take and that sort of thing. Can you just fill in the gaps a

little bit?

MS. AZAD: Sure. Like you mentioned, there was an extensive amount of information that we did request and received and reviewed, given the scope and time frame of the audit.

I will start off saying we appreciated the responsiveness of the company in terms of the contents of the responses.

At the same time, when we developed the initial schedule for the audit, it was based on our understanding of a 10-business day customary turnaround time. And as you mentioned, there was quite a bit of information. We had seven rounds of discovery that began in November of last year. And the latest was served in June.

And while we did receive some of the responses within 10 days, some of them took upwards of 120 days. So, on average, it was about 40-day turnaround time which was significantly longer than, you know, initially we would have anticipated.

So, it's to that end accordingly, that pushed back how long we had with information until we received, you know, up-to-date information to then complete our analysis and incorporate it into the report.

I think we received the last of the responses at the end of July and we started submitting sections over to the court piecemeal to staff for review at the end of June. So as you mentioned, we were in -- we were coordinating with PG&E and also the Commission to see what we could anticipate in terms of response time.

And as we started in that process, we were provided some estimated response times. At the same time, they were often revised throughout the process as the company had an opportunity to get into the gathering of that information. So that added another element of complexity in terms of expectations.

So I think that's the context I have to provide.

ALJ ROSCOW: So I looked at both of your résumés as part of all this. Mr. Frost provided everything, except the responses to the data requests which I didn't ask for. I don't need to see, yet.

This is -- is this pretty typical of the type of engagements that AzP gets involved in?

MS. AZAD: It is, yes. We've worked almost exclusively in regulatory proceedings,

whether it be audits, rate cases, merger cases so, yes.

ALJ ROSCOW: Is this your first in California or -- because you're from Kansas, right?

MS. AZAD: Yes.

ALJ ROSCOW: Yeah. And so how many -- how much involvement have you had in California's regulatory proceedings, if any? I am just curious.

MS. AZAD: Personally, it's my first engagement in California. Ryan has had prior experience work with PG&E previously.

ALJ ROSCOW: I am sorry. A little louder.

MS. AZAD: Sure. I said personally it was my first experience on an engagement in California. My partner Ryan Pfaff has worked in California before.

ALJ ROSCOW: And, Mr. Pfaff, what's the nature of your prior engagements in California?

MR. PFAFF: I worked on the San Bruno proceeding, specifically the financial analysis that was conducted prior to the -- prior to the proceeding that ultimately ended up in PG&E being penalized by the CPUC.

ALJ ROSCOW: Okay. Good. You were

both at Overland before this, right?

MR. PFAFF: We were, yes.

ALJ ROSCOW: So you were probably at Overland when you did that work?

MR. PFAFF: Correct, yes.

ALJ ROSCOW: So the reason I am asking this is how typical was the -- were these delays based on your prior experience? And you can both answer that in sequence.

MS. AZAD: Sure. I would say that delays were much more lengthy than what I have been accustomed to. I have worked across the country, some large cases including some of the larger merger cases in the country. And based on my experience, they have generally tended to have a preset or defined response date that is either set as of a certain date or set based on the number of days after the requests have been submitted.

So here it was much more open-ended relative to what I have been accustomed to. And the fact that it -- some of the responses came back upwards of 120 days, that exceeds what my prior experience has been in other jurisdictions.

ALJ ROSCOW: And so I am just curious because you mentioned the customary 10 days.

And it is kind of a -- it's a customary thing. It's not a requirement anyplace. In other jurisdictions, is it a requirement or is a set number of days a requirement?

MS. AZAD: Yes. And they're oftentimes set in the course of the procedural schedule that tends to be set. And they're oftentimes either set as of a certain date in those instances or they're a part of the Commission's standard turnaround time in terms of 30 business days or 45 business days. That is all implemented as such.

ALJ ROSCOW: Good. Mr. Pfaff, anything on your -- compare this experience to other experiences you've had?

MR. PFAFF: I would concur with what my colleague said in terms of the length of the delays I felt was atypical in how much longer it took to get some of the information. And aside from that, the -- when the dates were adjusted, the estimated adjustments were also as she mentioned previously not accurate, after multiple iterations.

But I would just like to emphasize with what Ms. Azad also said previously, which is that we do appreciate all the information we did receive and we do appreciate the responsiveness of the small

teams that was assembled and directed to work on this audit.

ALJ ROSCOW: So in terms of the final product you're about to deliver, can you talk a little bit about how the delays, whether the delays affected the nature of that project?

MS. AZAD: Sure. One of the things that was particularly challenging as we were developing our analysis is, as I mentioned one was the unpredictability of the schedule, in terms of when the new information would be coming in. And the second would be as we -- the fact that we had several instances as we performed our analysis and incorporated it into drafts of the report, once we received new information based on new responses to discovery, there were instances where then that required us to make updates to the information as we had analyzed and presented.

So as that time frame expands, of course, there's going to be by nature more revision and revising of the work to insure that it's updated according to the latest pieces of information that have been received.

And as mentioned to help expedite the process what we did was began to submit

our report drafts in sections for review to the CPUC staff.

And so as I mentioned, the latest responses we got to the end of July, we already begun submitting reports -- report drafts to staff at the end of June. But aside from that, I think the biggest impacts were just as far as timing and having time with the questions because once we received the information, we could assess whether we needed to have further follow up for clarification or ensuring that we have information that we needed for the analysis to be completed.

ALJ ROSCOW: Okay. Good.

Mr. Pfaff, I am going to rely on you to jump in if you need to. I won't keep asking you if you have more to add.

MR. PFAFF: Sounds good. She summarized it -- she usually summarizes things better than I can anyways. So it's good to start with her.

ALJ ROSCOW: Good. I am good with that. Lastly then, in terms of the communication with PG&E about timing and things, how would you characterize that?

MS AZAD: Could you be a little bit more specific, please? Do you mean --

ALJ ROSCOW: What I would say if there was going to be a delay, did PG&E proactively let you know and provide a new estimate or did you have to on your initiative say, "It's been 10 days. We haven't received these responses." That sort of thing?

MS. AZAD: Sure. I understand. It was more so the latter. So we began the process I think initially after we had submitted the first set. And we all mutually agreed with Commission staff and PG&E and had initial conversations to talk about the timeline of responses. After the first several sets that were sent out and then subsequent sets, we asked that the company provide us their estimated response time for the discovery that was submitted.

We did find ourselves -- there were times when we would follow up to check to see what the status was after we hadn't received some of the responses as of the dates that were initially anticipated. So that was something that we did find necessary in the correspondence to follow back up with the company as to the reasons and revise timelines that we received in some instances, not necessarily other instances.

ALJ ROSCOW: Okay. And so you had

seven rounds or seven sets of questions and they were basically front-loaded. The first was November 2018, the second was -- well, not entirely front-loaded, February 2019. Is that -- am I interpreting this accurately that the first set or two were the initial questions and the later sets were follow-up questions?

MS. AZAD: Yes. That would be accurate.

ALJ ROSCOW: All right. Good. Okay. PG&E.

MR. FROST: Your Honor, can I mention one more point?

ALJ ROSCOW: Yes.

MR. FROST: So over the course of the seven data request sets that were sent to PG&E, typically from the second set and beyond, we had a process in which we would send the questions of PG&E and we would allow for at least 48 hours for PG&E to review the questions and then we would have a conference call to discuss systematically whether or not PG&E would be able to meet the timeline that we had requested or if they would need additional time and if there was any clarification needed from us to rewrite the questions, to get more to the point if

questions were overly-broad. So it was a two-way conversation and we wanted to make sure that, you know, the expectations were reasonable and that, you know, the questions weren't overly-burdensome for PG&E.

ALJ ROSCOW: Okay. Good. Good.

So then I will turn to PG&E, Mr. Smith or Mr. Norimoto, either one of you, do you want to kind of address your half of this and if either of you would start with the size of the team at PG&E. I know the size of the AzP's team because I looked at the bid material and so on in the proposal and so on.

So, PG&E size of team and data request response experiences.

MR. SMITH: Sure. Thank you, your Honor.

Mr. Norimoto is the program manager. He's assisted by two business analysts. That's it. It's a team of three. Below them, as Mr. Norimoto can explain more if you're interested, are four liaisons who deal with the cities but don't necessarily manage the program itself. And then once the project is developed and moves forward, it's kind of handed over more to a construction kind of group that does not report to

Mr. Norimoto.

In general, the time frames that Ms. Azad mentioned are correct. I would point out her calculations and mine are about the same. I would point out, at least when I did it, I was talking calendar days, not business days. So the 10 is business days, not calendar days.

And, yes, we were not as timely as I would have liked, but we were also swamped at the very beginning, to be honest.

In our initial call when AzP mentioned the nominal 10-day rule, we had no idea how many data requests were coming. I did ask how they expected to rule out the very stages of their audit because they had identified five major tasks. And the answer was "we're going to do them all at the same time."

So two weeks later we got 150 data requests. And as I mentioned in some of my e-mails and phone conservations, it was like a snake swallowing a pig.

The second data request was 90-some-odd questions and then kind of tapered off after that. And that in a sense does not count subparts.

We did have conference calls from

time-to-time. I don't believe that I would recollect as many as Mr. Frost has indicated there were. But we did try to move forward with the responses.

When the responses came in, I would look at them. I would kind of parse them out to the departments that I thought could respond. Certainly those that related to the management and operation of the program were addressed to Mr. Norimoto. I also signed various requests to our business finance department that deals with budgeting process, to the capital accounting department relative to recorded costs, to other people in the regulatory area, they have kind of switched departments, as related to the history of things we had done in rate cases and various reports that we had filed with the Commission. There were a few data requests that were responded to directly by some of the project managers and other people in Electric Operations.

I was a little bit surprised by the comment in the letter; on one hand, the notion of three people at the top of this program was well-known to the staff and to AzP, but we did scour the e-mails that I had sent out seeking assistance on some of the

questions and we found approximately a hundred people. When I say approximately, the count was 97 that we were able to specifically identify.

Some of the programs -- some of the questions that took the longest, and Tamon can interrupt me if I get this wrong, but in the course of the various Rule 20A projects, things happen in the fields.

You might dig and find a pool of oil next to what used to be a gas station. You might find cultural remains in the Fremont area where the Ohlone Indians used to reside and that stops a project. Those things are known but the data is not tracked.

We got questions saying, "Tell us all the times or examples of times when these events happened. Tell us what the schedule impact was. Tell us what the cost impact was."

On the one hand, those are very legitimate questions, but if nobody was keeping the data at the time, you don't have an answer. But in order to look for the answer, to review suspected projects, to try and find out what might be in those records, that took a lot of time. And even at the end, we would say, "You know, we just don't

have the records to be able to answer your question."

ALJ ROSCOW: Mr. Norimoto, why don't you start by telling me what a business analyst does and then if you want to fill in any details, feel free.

MR. NORIMOTO: Sure. Before I begin, your Honor, may I first just say how proud I am of the team that work with me through this audit?

It was a very comprehensive audit, asked many questions, many subparts. And not only was it the business analysts, but it was many people within the entire program, as well as the electric distribution organizations that supported providing responses to the audit.

We wanted to make sure that we were answering all the questions accurately and as thoroughly and comprehensively as possible.

One of the biggest challenges that we had in doing that is, as Bruce mentioned, is that we do not have a centralized location to keep many of the questions or responses that the auditors had been asking. And as Bruce -- Mr. Smith here has mentioned, they're fantastic questions, quite frankly. As the most recent incoming program manager,

these are questions that I would also want answered as well, but looking back historically to 2007 to 2016, this information was not stored in such a manner where we could conclusively say that it was a record, and therefore we would be able to quantify delay by time or by cost.

There's many more questions that were raised than answers for our program, quite frankly. And we are doing what we can to add some of those metrics and some of the those units into our program so that going foward we can make better progress if there is to be a future audit.

To your question directly about what does a business analyst do, I apologize for the long-winded way to get there.

ALJ ROSCOW: No, no. That's good. I think more managers should thank their staffs more often and it doesn't happen enough here at the Commission.

MR. NORIMOTO: I know I don't stand here by myself. I represent the entire team.

ALJ ROSCOW: Good. Like I said, make sure they see this transcript because you have their backs and that's good.

So business analyst, very briefly, is that like a regulatory analyst here at the

Commission?

MR. NORIMOTO: A little bit different.

So I've got two business analysts on the team. The first business analyst is primarily focused on what we call the ledger. The Rule 20A program has work credits that need to be tracked and monitored and adjusted. And it's essentially a full-time job. It almost works as an independent bank where we have --

ALJ ROSCOW: You don't need to explain it.

MR. NORIMOTO: The second analyst helps us in our day-to-day operations, special projects and also assists in leading some of the more larger projects that we have as part of the program.

So, one of the analysts was a key driver in the audit function making sure that we were getting responses, tracking it, logging it, answering as many as they could, et cetera.

ALJ ROSCOW: Okay. Good. And what kind of educational background do they have, typically?

MR. NORIMOTO: Business analysts, I apologize. I don't know off the back of my mind what my business analysts' backgrounds

are, but typically finance or accounting.

ALJ ROSCOW: Good. Okay.

Now, I will point out that -- so I was the judge on this, the rate case, and so I was the author of the decision and including the Rule 20 part, but I will point out that the assigned Commissioner, President Picker, had a lot of input into that specific section. And that section came down pretty hard on PG&E and its management of the program and concluded that an audit was needed. So I will note that PG&E was on notice that this was an important task that was being assigned to PG&E, but I am generally okay with what I am hearing.

I have one follow-up question for Ms. Azad, but I think that is enough for now on that.

Does everyone feel they've been heard?

MS. AZAD: I have a couple points of context in my earlier responses when you asked if it would be accurate that the first two sets of discovery were essentially the initial. I would recharacterize my response to say the first set was primarily the initial set and the subsequent sets were follow-up discovery, including follow up to

conversations that we had with PG&E personnel during our onsite interviews.

And then the second thing I would like to clarify is I gave you a pretty concise answer when you asked if we were on schedule with the report and I thought I would expand on that to say where we are with that.

We have now submitted the comprehensive draft for final review to staff. We have received comments back and we are in the process of applying final revisions and plan on having that completed on or before the 15th.

ALJ ROSCOW: Okay. Good. Thank you.

MS. KIM: Your Honor.

ALJ ROSCOW: Yes, Ms. Kim.

MS. KIM: I did want to thank you for giving us the opportunity to address the sentences in the Executive Director letter. When we saw the Executive Director letter, we were frankly a little surprised and disappointed. And as Mr. Norimoto points out, his team did work very hard to be as comprehensive as possible and we do appreciate AzP's acknowledgement that the responses provided were comprehensive and helpful. So we do appreciate the opportunity

to explain our position to you.

ALJ ROSCOW: Good. Yeah. And one reason I ask, as a judge we love to order utilities to do things. And this was not one of those things, because as I said it was the Commission really was behind this. But it's important to know when we do order utilities to do things what kind of resources its impacting and requiring and so on and so forth. And also when we hire a consultant to do these things, just how much goes into the gathering the data for the analysis to do a thorough job.

And that was actually -- my follow-up question, there was five tasks that are listed in the decision and I will say the thing that I am the most interested in is the first task, which is to ensure that PG&E has fully accounted for the annual Rule 20A budgeted amounts by documenting that PG&E has properly allocated the entire budgeted amount approved in its general rate case decision. And the Commission kind of framed the problem vividly by saying, "Our record in this proceeding provides no indication of where these funds have gone." I don't know that I can take credit for that or if it was President Picker that put that in, but that

was my concern. And especially that the documentation of how the funds were reprioritized.

So my question to both Ms. Azad and Mr. Pfaff is: Did you in the end get the data and the information you needed to fully answer that; address that question to your satisfaction?

MS. AZAD: I believe that we were able to fully address but not necessarily answer the question. What I mean by that is as Mr. Smith and Mr. Norimoto pointed out, there were instances for which there was not necessarily a written documentation to support a specific piece of information; one of the which categorically was decisions to what the Commission referred to as reprioritization of funds or resources.

So we gathered quite a bit of information in terms of the impact of the decisions that were made in terms of resources and how and when they were devoted or instances where they impacted the spending in Rule 20A program or completion of projects in this program, but at the same time, there was not a clear say, "Here's an approval from this manager on this date where the decision was made that rather than completing this

Rule 20A project, we're on schedule to use these, for example, estimating resources on another division or set of projects."

So that kind of information did not exist is what we found. But at the same time, we did find and quantify the impact in terms of both spending versus the amounts that were adopted by the Commission with the assumption that they would be based on forecast be spent on the program, as well as what the impacts were on project scheduling and project costs in terms of causing delays.

ALJ ROSCOW: Okay. Good. Thank you. I look forward to reading report.

Last topic. I think we have addressed this. I thank you. So last topic, something that came up late in the proceeding was -- and actually the way that I got back involved in this -- a question came up whether AzP had employed a consultant that had a conflict of interest. So I wanted to follow up on that a little bit. I am going to ask some questions about that.

Now my understanding is that there were five tasks in the audit. Tasks two through five were completed by a subcontractor Harris & Associates, correct?

MS. AZAD: I would say there were --

the conduct of the review was primarily assigned to Harris originally.

ALJ ROSCOW: The which review?

MS. AZAD: The tasks two through five was primarily assigned to the personnel that we subcontracted from Harris & Associates with AzP having primary oversight on all of the sections.

ALJ ROSCOW: Right. And there's documentation of all that and who the individuals are and so on and so forth.

MS. AZAD: Correct.

ALJ ROSCOW: Now my understanding is that Mr. Smith from PG&E in the -- about a month after the contract was signed contacted Energy Division and raised concern about the potential involvement of a different employee at Harris & Associates. And how did that come about, Mr. Smith?

MR. SMITH: Well, the individual appeared before you, your Honor, representing the City of Hayward and participated in the development jointly with Energy Division, PG&E and the City of Hayward on our proposals relative to the audit schedule. We found out that during the pendency of the audit, I guess, I guess after Harris Associates was selected, that she had joined Harris

Associates. And we just basically pointed out that that would appear to have been a conflict of interest since she was previously representing one of the parties that was adverse to PG&E in the preparation of the rate case and the audit. That's as much as we had known.

ALJ ROSCOW: I am not seeing the conflict of the interest.

And, Ms. Kim, do you want to address that or how would you like to address that?

MS. KIM: So I wasn't involved at the time and I will defer, in a moment, to Mr. Norimoto to my right; however, I think the general concept is that when a party is adverse to you in a case, then that party should not then be basically reviewing or auditing your actions; that that is not an impartial party if they were previously adverse to you.

ALJ ROSCOW: And what basis do you have for suggesting that the City of Hayward was adversarial to PG&E?

MR. SMITH: My understanding is that that was the way that the hearings played out; that the City -- I'm sorry, your Honor. I don't now if you presided over the public participation hearings in the case.

ALJ ROSCOW: I did.

MR. SMITH: The City of Hayward participated in those; that this individual was participating in many of the public participation hearings, not just one of them and also testified during the hearing on Rule 20A that you held.

Not being a lawyer, per se, my notion was that she had taken a position, as I said, adverse to the company and just seemed kind of ridiculous to have her simultaneously or subsequently auditing the program that she had been complaining about.

It gets a little bit more complicated in that, your Honor, in that she's also a former PG&E employee.

MR. NORIMOTO: Your Honor, if I may add.

ALJ ROSCOW: Please.

MR. NORIMOTO: Your Honor, the individual in question was the previous Rule 20A program manager by a different title but essentially the same responsibilities and was the acting program manager during the audit period as well. And --

ALJ ROSCOW: I'm sorry. Oh, the period that the audit reviewed?

MR. NORIMOTO: That is correct.

ALJ ROSCOW: Okay. Good. Go ahead.

MR. NORIMOTO: So the individual in question was a consultant to Hayward during the 2017 general rate case period and not just involved in the public participation hearings, but my understanding and correct me if I'm wrong, was that Hayward was an actual intervenor in the process and so she had that status in the proceedings.

So from our perspective, it's such that she is -- she managed the program in the scope of the audit. She also was -- took participation in developing the scope of the audit, and we had concerns initially that now she was employed by Harris & Associates which is part of the audit team.

So Mr. Smith brought up these concerns and we were told directly in a meeting in November on PG&E premises by Dennis, and I do not remember his last name, that rest-assured that she has been completely firewalled from this audit and by no means is she participating in any way, shape or form.

MR. SMITH: Your Honor.

ALJ ROSCOW: Sorry. Oh, yes, please.

MR. SMITH: Simultaneously with the conduct of the general rate case, there were

also various complaints and I don't know if they were complaints filed at the Commission or just more administrative between the City of Hayward and PG&E relative to various issues with prior Rule 20A projects and credits that the City believed they should have gotten that this individual was also participating in on behalf of the City of Hayward.

ALJ ROSCOW: And neither of you are lawyers, Mr. Smith, Mr. Norimoto?

MR. SMITH: As much as I somehow try, but no.

MR. NORIMOTO: We are not.

ALJ ROSCOW: So despite the fact that you aren't attorneys, you advised the Energy Division that you believe there was a conflict of interest here.

MR. SMITH: I didn't say we advised them. We pointed out that we believed there potentially would be a conflict of interest. And I believe we also discussed with our attorney at the time who has since left the company and that her view was it was also potentially a conflict of interest.

At the time we discussed it with AzP and Harris Associates, there were no attorneys in the room, but that's when AzP --

I'm sorry, Harris recognized the issue and told us that there would be a firewall.

ALJ ROSCOW: And so going back to Decision 18-03-022 which determined the scope of the audit, I am just going to read an Ordering Paragraph, Ordering Paragraph 6:

> Pacific Gas & Electric Company shall serve as the fiscal manager of the contract of the auditor without exercising control over the design or scope of the audit.

Did PG&E -- why didn't PG&E interpret that Ordering Paragraph as a directive to stay away from opining on the participation of the consultants and how they staff the work?

MR. SMITH: That's an interesting question, your Honor.

I don't think I would have read the design or scope of the audit to prohibit us from pointing out potential conflicts. And I would say that we pointed out the conflict. We did not act on it.

ALJ ROSCOW: You pointed out the conflict that you as a non-attorney believed may be presented by the employment of this

individual at the subcontractors that AzP was utilizing.

MR. SMITH: And I believe your Honor used exactly the right words that I "believed" it may have been. We didn't make any demands. I didn't make any demands, did not exert any control. We pointed out the situation.

If Harris Associates or AzP had chosen to address it differently, that would have been their call. We didn't make a control decision on this.

MS. KIM: Your Honor, I would point out that based on the description that Mr. Norimoto provided that the conflicts could have been construed either way.

So, for example, to the extent that she would -- that this individual would be auditing a period for which she was the program manager, one could be concerned that there would be a bias for her to find that period to be compliant on the reverse side to the extent that she took positions that were adverse to PG&E in the general rate case, one could possibly interpret that those actions could be interpreted as biased against PG&E. So it would be either way and I think Mr. Smith's intent in pointing this out was

not to again design -- affect the design or scope of the audit but to just raise an issue for awareness. And the fact that Harris then of their own decision agreed to firewall this individual suggests that perhaps they recognize that the optics on that would also not be appropriate.

ALJ ROSCOW: And your basis for imputing what Harris & Associates, or inferring what they might have -- how they might have viewed this, what is your basis for that, Ms. Kim?

MS. KIM: I have none, your Honor.

ALJ ROSCOW: Okay. Just as an aside, so I did go to all the public participation hearings and there were public officials from every locality at eight of the nine that spoke about this issue, the Rule 20 undergrounding issue and their concerns about funding.

Does PG&E view remarks by public officials at public participation hearings as adversarial to PG&E's interests?

MR. SMITH: As they were arguing for potentially reductions or disallowances of the costs we were seeking to recover in the general rate case, yes.

ALJ ROSCOW: I don't recall that that

was the argument. In fact, I don't recall them making any argument. I thought it was more of an informational presentation that actually led to the issue being addressed in the decision at all, but that's for another day I think.

So, I don't know if you're aware of this or not, but Energy Division did follow up with AzP and asked AzP to verify that the individual was firewalled, which AzP then did.

Then that was all in November 2018 and then if we fast-forward to May 2019, Mr. Norimoto contacted the Energy Division again and reported that the individual had contacted you, Mr. Norimoto.

MR. NORIMOTO: That is correct.

ALJ ROSCOW: Because a consultant who was working for the subcontractor was retiring and the individual contacted you in that context. And do you recall this conversation?

MR. NORIMOTO: I do, your Honor. So the individual contacted me directly requesting that the conversation be kept off line, informed me of the situation of Rocco -- I cannot say his last name.

MR. SMITH: Colicchia.

MR. NORIMOTO: Colicchia. Thank you. Was retiring from Harris & Associates and Harris & Associates had approached her about potentially helping with the audit and what should she do. And she had also in that conversation also mentioned that Rocco had at times approached her with questions that he would have for her pertaining to the audit. I provided no advice.

And following that conversation, given that I thought it was an unusual conversation that just transpired, I called Jonathan with the Energy Division and informed him of this conversation that I had with the individual in question.

And if I may add, one of the things that also concerned us back in November is quite frankly the integrity of the audit itself on a significant amount of ratepayer dollars and our time would be utilized in the audit itself. So we just wanted to make sure that everything was above-board and seeing how this individual was involved in the creation of the audit and with Harris & Associates, we just wanted to call attention to that. We did not say that it was an issue. We just wanted to say there may be potential for some optic issue, if anything,

or may be potential true conflict of interest, but we just raised it.

ALJ ROSCOW: The Commission ordered the City of Hayward to collaborate with PG&E on determining the scope of the audit. So I don't see that that is an optical concern that PG&E should have.

MR. SMITH: No. It was later. Once you set the audit going, right, why should someone who was playing traffic cop at the beginning participate at the end? That was the whole point of hiring AzP as an independent auditor.

ALJ ROSCOW: Yes. And I have seen AzP's attestations to the Energy Division about how they insured independence and I have no concerns there. I am still concerned that an individual with expertise in the Rule 20 program by virtue of working for PG&E on that program presented such a concern to PG&E. And I am still puzzled by that.

For example, Rocco also managed the Rule 20 program for PG&E.

MR. SMITH: Many years previously, yes.

ALJ ROSCOW: And I don't see that PG&E contacted the Energy Division and objected to Rocco's participation and direct work on it or Harris & Associates; is that correct?

MR. SMITH: That's correct. I think there's a time differentiation here. Rocco also consulted with cities. Rocco also had disputes with PG&E in his independent mode but had not participated in the CPUC's proceedings as an advocate for another party.

ALJ ROSCOW: Okay. Good.

So going back to May, Rocco retired, AzP notified Energy Division that they didn't anticipate needing anyone to replace Rocco, given I think where AzP was in the process of drafting the report. And then it's my understanding from talking with Energy Division staff that AzP ran across a comment bubble in the draft of your report that -- where the author of the text in the comment bubble noted that they had talked to this individual; is that accurate? And that AzP had discovered that.

MS. AZAD: We did discover that. The context was the document that we received I would imagine was sent to us inadvertently in Track Changes in Word where it had been redlined, as opposed to changes accepted. And so what we came across was a comment from one individual to another from Rocco to Dennis Klingelhofer making a comment about a discussion that had been had with the

individual in question that we have been speaking of. And so it was a suggestion as to a potential recommendation to consider including in the report based on discussions that had been had with this person with whom we had received assurances would have zero involvement in the audit.

ALJ ROSCOW: And then I believe Harris & Associates provided documentation that proved that the individual had not billed any time to this audit; is that correct?

MS. AZAD: It's true that that person had not billed time to the audit.

ALJ ROSCOW: Okay. And yet AzP suspended Harris' involvement in the audit.

MS. AZAD: We did, yes.

ALJ ROSCOW: Now, why would you do that with no evidence that anything untoward had occurred?

MS. AZAD: For a couple of reasons; primarily that the integrity of the audit had always been of particular importance to us. And for that reason, it's very important that we ensure that there are no objectivity or conflict of interest issues both in fact and also in appearance. And so to that end, given that at the onset of the audit we had

had in-depth conversations with our subcontractor and had requested to get assurances in writing that this particular person would have zero involvement in the conduct of this audit, the fact that the personnel who was assigned and approved to work on the audit was having related conversations with this person that could have the potential to impact recommendations or findings that they would include in the draft was something that was not acceptable to us because it was in conflict with the assurances that we had received otherwise.

And so as I mentioned as part of our, you know, the CPA Professional Conduct Requirements, we are required to ensure that there are no conflict of interest or objectivity issues, whether they are in fact or appearance that are impacting our work and as I mentioned for those two reasons, one, that wanting to ensure that that was a safeguard that continued in the audit. And, two, that the conversations that had been were -- contradicted the assurance that we had received. Those were the two reasons that we wanted to make sure that ultimately the findings and the recommendations of analyses was conducted under direct

supervision and control of AzP in such a way that there would be no questions as to the objectivity of the report.

ALJ ROSCOW: How did AzP first hear about concern about this individual?

MS. AZAD: Mr. Frost had contacted us back in November and had a conversation about the person who worked at -- who was employed at Harris who had previously worked at PG&E and worked as -- in the role of a project, of a program manager for the program that we were auditing and had requested that we ensure that we had sufficient safeguards in place. And so that's when we had the conversations. That's when we first found out.

ALJ ROSCOW: Now in the résumés you provided in your bid on RFP, you included Rocco's résumé and it -- I'm looking at it right here and it does mention that he managed the program as well. Can you explain to me why one person's involvement was of no concern and a second person's involvement that didn't in fact happen created an appearance that led you to suspend Harris & Associates?

MS. AZAD: Sure. I would say AzP's views on that were similar to what Mr. Smith

described in terms of one of the individuals was involved in the program that we were auditing for years in the duration of time that we were auditing. So during the audit period, this person was employed on functions that were related to the Rule 20 program directly overseeing the program. As where in Rocco's situation, while he had experience in that program, it was -- it did not fall within the scope of the work that we were auditing.

So essentially there is the potential for appearance at a minimum or possibility of conflict -- the actual conflict of interest any time we have a person essentially auditing their own work. And we agree that there could be a potential for this here. And in fact some of the documents that we reviewed when we reviewed correspondence of personnel as well as employee evaluations related to the conduct on the Rule 20A program; this particular individual's yearly reviews, for example, were some of the documents that we reviewed. And so to ensure that we had an objective view of it, it was important that we not have the same person essentially auditing their own work.

ALJ ROSCOW: Do the CPA Standards use the word "actual" or "appearance of," that term rather; "appearance of a conflict," is that in the standard that you reference?

MS. AZAD: They specifically state "objectivity and/or conflict of interest in fact and in appearance."

ALJ ROSCOW: Okay. What sort of conversations went back and forth between AzP and PG&E about the involvement of this individual?

MS. AZAD: I would say most of the direct conversation initially when we found out was through AzP and CPUC staff and -- CPUC staff and PG&E. However, after we came across that document, we thought it was important that based on our contractual obligation that we notify PG&E that we have come across that information. Because we do have a requirement to disclose any information that may have the potential to cause any conflicts of interests with the parties with whom we have the contract, which in this case is PG&E.

So to that end, we scheduled a phone conference with PG&E and Commission staff and shared with them the information that I just shared with you now that we had come across a

document that gave us reason to believe that there were discussions that had taken place with an individual who we had given assurances would have no involvement with the audit and so to that end, we are disclosing that information for -- so that we have full transparency. And then we followed that up with taking action going forward.

ALJ ROSCOW: Okay. So my understanding is that AzP suspended Harris toward the end of June 2019?

A Yes.

ALJ ROSCOW: How has that affected -- is that the reason that PG&E requested the extension on your behalf?

MS. AZAD: The primary reason, I would say --

ALJ ROSCOW: I'm just asking if that's the reason.

MS. AZAD: Oh. I see. No.

ALJ ROSCOW: Is it any part of the reason?

MS. AZAD: I would say no, but I would also expand on that to say we did also utilize the additional time to ensure that we had fully developed all of the analysis and findings and recommendations so essentially we first hand-performed all of the work that

underlies the report findings.

ALJ ROSCOW: You mean you had to do some of the work over?

MS. AZAD: We conducted the work ourselves. In some instances, we did perform rework, yes.

ALJ ROSCOW: You re-performed the work that Harris did?

MS. AZAD: In some instances we did, yes.

MR. PFAFF: And if I may, your Honor.

ALJ ROSCOW: Yes.

MR. PFAFF: I would say that we didn't re-perform the work that Harris did. I would say that we performed the analysis independently when we felt that there was any question regarding not only the independence of the analysis, but whether or not that analysis was at a quality level that our firm would be comfortable incorporating into the draft.

ALJ ROSCOW: What I'm getting at is has the cost of the audit, the total cost increased because Harris was suspended?

MS. AZAD: No. No. We are completing the audit within the same original not-to-exceed cost expectation that we had.

So essentially what we have done is

shifted resources as opposed to add resources; as where had Harris continued to perform the work, they had requested that some of the work, for example, be assigned to some of their lower level staff, we ensured that instead when we had them pause work, we shifted that work to our higher-level managerial staff to ensure that it was commensurate with what the quality of work we would have expected with a highly-skilled and experienced person like Rocco, who has a senior-level person at the firm.

So ultimately we just shifted resources to AzP's internal personal. So we have not incurred additional costs as a result.

ALJ ROSCOW: Then on a percentage term, how close to finished was Harris & Associates with their work?

MS. AZAD: From the perspective of -- to clarify, is your question with respect to resources devoted cost-wise or finished product?

ALJ ROSCOW: Let's say both.

MS. AZAD: So in June, we asked that they submit all of the finished product to us, along with underlying -- underlying supporting files and workpapers. I would say

we received what they had conducted to date. At the same time, based on what we feel is consistent with quality of work that we would put out, I would say we conducted a significant review of the work and enhancements to the drafts that we received. As far as -- I am trying to recall because I don't have a --

ALJ ROSCOW: Ballpark is fine.

MS. AZAD: I think probably about one-third of the contract one-third or one-half of contract amount.

ALJ ROSCOW: Could you speak up a little bit for the reporter? Just project. Mr. Pfaff is your model here. He's probably heard in the next room.

MR. PFAFF: That's the first time I think she's heard that.

MS. AZAD: I would say approximately a third to one-half of the contract amount.

ALJ ROSCOW: To go or completed?

MS. AZAD: Completed.

ALJ ROSCOW: So only a third was completed at the time they were suspended in June of this year?

MS. AZAD: To about one-half. I would have to check. I will say there were -- we had communicated that things would be on

pause in terms of what and how much of subsequent work and invoices would be approved based on the quality of the work that would be received. And so there are -- we have got two invoices that are currently under review as we have been considering the impact of -- impact of the transition to the internal team.

MR. PFAFF: And if I may add, your Honor, in regards to the work that Harris had performed, much of that work was related to the development of the discovery. And we had -- we reviewed and CPUC staff as well reviewed the discovery that went to PG&E and that discovery that was developed, we were able to utilize the information that came back without any -- without any feeling that there may be conflicts of interest clearly because we were getting it from PG&E, whereas the report she added which we also utilized we did have to review with that additional level of detail. But a large part of what Harris & Associates had done and was incorporated in the cost and effort that they had performed in the audit was related to discovery preparation.

ALJ ROSCOW: All right. Good. Thank you. I am just thinking if I have any other

questions.

So just to reiterate because I want to make sure I have it for the transcript, AzP's earlier response was that in and of itself, suspending Harris & Associates didn't materially delay the completion date of the audit. It may have had -- it may have been a contributing factor but it wasn't the reason that PG&E made the request on your behalf.

MS. AZAD: I would agree with that statement, yes.

ALJ ROSCOW: So if it had never come up, AzP still would have needed a bit more time?

MS. AZAD: I'm sorry. Repeat that question, would you please?

ALJ ROSCOW: Let's just say this whole third topic we have been talking about had not occurred. You have done your discovery, Harris had been working on it. They had been providing you with their deliverables, is it correct that AzP still would have needed more time to complete the report?

MS. AZAD: Yes. Yes, that is correct.

ALJ ROSCOW: Okay. Good.

Did AzP feel pressured by PG&E to look into this, the consultant question?

MS. AZAD: I would say, I wouldn't

characterize it as feeling pressured. I think our main concern was that all the parties involved and in particular first and foremost AzP could extensibly submit this report as something that we were comfortable with it 100 percent. So to that end, the conversations that we did have with Commission staff and with PG&E formed the context within which we responded to the information that we had received, but I would say that I don't believe -- we didn't feel pressured by PG&E in that regard.

MR. PFAFF: And if I may add, that actually may be a question that is more appropriately directed to CPUC staff because our discussions related to this conflict of interest were largely between AzP and CPUC staff and not directly with PG&E.

MR. NORIMOTO: Your Honor.

ALJ ROSCOW: Yes.

MR. NORIMOTO: I would concur with that.

ALJ ROSCOW: Yes.

MR. NORIMOTO: All the conversations -- if they were to have any conversations whether by e-mail or phone always included CPUC staff and specifically to the matter that we're discussing right now I only had

communication directly with Jonathan Frost and had no communication with AzP. And the only time that we had any communication collectively was that conference call that we had I believe in late May.

MR. SMITH: And if I may your Honor, personally I was on that call and my recollection basically was I listened. This to me was a conversation between the staff and AzP relative to, as you pointed out, the management of the audit itself.

ALJ ROSCOW: I have one more question and it's escaping me so I am trying to recall it. I don't want to end just yet, but we're a minute or two away.

MR. PETLIN: Your Honor.

ALJ ROSCOW: Yes, Mr. Petlin.

MR. PETLIN: I don't want to interrupt your train of thought, but while you're recalling your question, I do have one question, if I may.

ALJ ROSCOW: Of course.

MR. PETLIN: So I think one question we would like to ask of AzP is you mentioned that after suspending Harris you redirected resources to perform analysis on findings to ensure that they were of a quality level that you would accept in your company's standards.

The one question I would like to ask about that is: In doing that review and redirection of resources, did you change any of the findings that were, you know, previously stated that came from Harris & Associates? Did that change the outcome of any of the findings, substantive outcomes of the audit?

MS. AZAD: I would say we did make revisions to a number of the recommendations accordingly to ensure that they were -- they most accurately reflected what we thought would be the most constructive next step and also consistent with other findings and recommendations that we had developed from other areas of the analysis.

MR. PETLIN: And were these like changes that were refinements, or were they, you know, changes of outcomes like a different conclusion?

MS. AZAD: A combination of the two, though I would say I don't recall instances where there would have been a particular finding or recommendation to which we made a revision that essentially made the reverse or the opposite of the finding or recommendation be the case, but there were some that we both refined and also changed the nature such that

it no longer resembled the initial finding or recommendation as much but what we thought was an enhancement.

MR. PETLIN: Were there any findings that were deleted?

MS. AZAD: I recall -- I'm trying to recall. I think any that were deleted would have been replaced with ones that would have been more expanded as opposed to omitted in the final report.

ALJ ROSCOW: Okay. Okay. We'll take that offline.

No, Ms. Sterkel. I remember my question or line of questions. At the end, yes.

So, Ms. Kim, you're the Rule 20 attorney. What is or has been or is the rule of PG&E's legal department in overseeing an audit like this?

MS. KIM: So, as Mr. Smith alluded to, there was a Rule 20 attorney prior to me.

ALJ ROSCOW: Oh, yes.

MS. KIM: She has since left the company.

ALJ ROSCOW: What month, year was that?

MS. KIM: I believe it was approximately May of 2019. So this year.

ALJ ROSCOW: Okay.

MS. KIM: So law department's involvement is largely supporting Mr. Tamon Norimoto's group in terms of advice and counsel on compliance with the 20A rules, in particular when we have issues with customers who perhaps have some concerns about their work allocations or other matters like that we will advise on how best to either raise those issues with the Commission for resolution or whether the rules themselves are clear in terms of what we can do.

So largely the role is advice and counsel; to the extent there's ongoing rulemaking, of course we would represent the company in the rulemaking as well.

ALJ ROSCOW: In terms of overseeing the audit itself.

MS. KIM: I'm sorry. I thought you were asking about the 20A program generally.

ALJ ROSCOW: I was asking about both, yeah.

MS. KIM: In terms of the audit itself because the audit was largely I would say resolved and the report was being worked on around the time that I took on Rule 20A, I have had very limited involvement with the audit.

ALJ ROSCOW: Then, Mr. Smith, who do

you report to on things like this?

MR. SMITH: The audit?

ALJ ROSCOW: Yes.

MR. SMITH: I report to -- well, now the Senior Director who is also the -- also serves as the case manager for the general rate case.

ALJ ROSCOW: And refresh my memory.

MR. SMITH: Now that is Shilpa Ramaiya. It would have been Shelly Sharp previously.

ALJ ROSCOW: Because on this sort of thing you report to the general rate case manager?

MR. SMITH: Well, it's just an organizational oddity within my department. I work on many proceedings.

ALJ ROSCOW: Excuse me. I am going to interrupt because I want to wrap this up.

Who at PG&E is responsible for ensuring that the audit is done in such a way that it complies with the Ordering Paragraphs in the two -- the May 2017 decision and the March 2018 decision? And I will start with Ms. Kim.

MS. KIM: So PG&E has a program called CNET which is where we put all of our compliance items coming out of regulatory decisions such as the 2017 general rate case

decision. And subject to check with Mr. Smith, I believe that the audit was assigned to the Regulatory Affairs Department.

ALJ ROSCOW: And so their responsibility is to ensure that it happens.

Did you report upwards on your concerns about this conflict of interest, Mr. Smith; upwards in the company to higher management?

MR. SMITH: At the time we heard about it, I believe I talked to the lawyer who was Rule 20A lawyer at the time.

ALJ ROSCOW: Yes. You mentioned that earlier. Okay.

MR. SMITH: Right. So that was -- I think that was probably as far as it went. I don't think any officers or whatever got involved to opine.

ALJ ROSCOW: Okay. I think those are all my questions.

Ms. Sterkel, spell your name, please for the reporter and speak up.

MS. STERKEL: Thank you. My name is Molly Sterkel, S-t-e-r-k-e-l. And I just --

ALJ ROSCOW: And who do you work for?

MS. STERKEL: I work for the Energy Division.

ALJ ROSCOW: As what?

MS. STERKEL: As a proposal manager. And I have oversight of the infrastructure planning and permitting grant. And the Rule 20A program is one of the policy work streams in my branch.

The question I have is, if you would allow us, your Honor, is that whether or not the staff present today were involved in the extensive data requests that were asked as part of the Rule 20A proceeding. And this is relevant. I will withdraw it in just a second.

Were you a part of the responding to the staff data request in the Rule 20A proceeding which asked for an extremely large and comprehensive amount of information about the Rule 20A program?

MR. NORIMOTO: Yes. So, myself and the two business analysts were involved in the Rule 20 OIR data request, if that's what you are referring to. That was a significant undertaking which was taking place simultaneously as this audit. And we are also the same individuals that was involved with developing the testimony and the rebuttal testimony for the general rate case, the current proceeding.

MS. STERKEL: Could you for the judge provide an estimate? We can also confirm this later if the judge would like. An estimate of the time between when my staff and Jonathan Frost first issued you a data request for the proceeding and when you were able to fully comply with the data request, if you have fully complied with it.

MR. NORIMOTO: Oh, jeez. I couldn't tell you off the top of my head a particular number.

ALJ ROSCOW: We can take that offline.

MR. SMITH: Well, your Honor, before it goes too far, I want to make sure you understand what that data request was.

ALJ ROSCOW: I do. I understand you had two competing demands on your time.

MR. SMITH: But it was a spreadsheet with several hundred columns and several hundred rows seeking information on just about every program, every project rather that had occurred.

MS. STERKEL: Okay. Is it hyperbolic to say it's hundreds of columns?

ALJ ROSCOW: Well, Ms. Sterkel, I want to wrap this up.

MS. STERKEL: I want --

(Crosstalk.)

(Interjection by court reporter.)

ALJ ROSCOW: Yes, Ms. Sterkel, you're violating the Golden Rule. I laid out the ground rules at the beginning. And let's go off the record.

(Off the record.)

ALJ ROSCOW: Back on the record. While we were off the record, we just clarified some information about prior staff data requests to PG&E about Rule 20 in proceedings other than this proceeding and I'm not going to summarize that information on the record because it's not relevant to our status conference today on this audit.

And with that, is there anything further to come before the Commission today?

MS. KIM: None.

ALJ ROSCOW: Thank you, Ms. Kim. Then this status conference is adjourned. And we'll be off the record.

(Whereupon, at the hour of 11:11 a.m., this matter having concluded, the Commission then adjourned.)

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BEFORE THE PUBLIC UTILITIES COMMISSION

OF THE

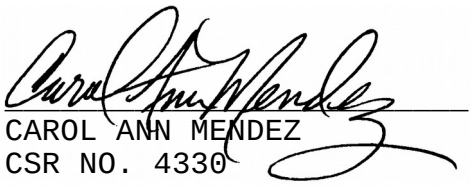
STATE OF CALIFORNIA

CERTIFICATION OF TRANSCRIPT OF PROCEEDING

I, CAROL ANN MENDEZ, CERTIFIED SHORTHAND REPORTER NO. 4330, IN AND FOR THE STATE OF CALIFORNIA, DO HEREBY CERTIFY THAT THE PAGES OF THIS TRANSCRIPT PREPARED BY ME COMPRISE A FULL, TRUE, AND CORRECT TRANSCRIPT OF THE TESTIMONY AND PROCEEDINGS HELD IN THIS MATTER ON OCTOBER 10, 2019.

I FURTHER CERTIFY THAT I HAVE NO INTEREST IN THE EVENTS OF THE MATTER OR THE OUTCOME OF THE PROCEEDING.

EXECUTED THIS OCTOBER 16, 2019.



CAROL ANN MENDEZ
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