



FILED

02-13-12

04:59 PM

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

Application of PACIFIC GAS AND
ELECTRIC COMPANY for Approval of
Modifications to its SmartMeter™ Program
and Increased Revenue Requirements to
Recover the Costs of the Modifications

A.11-03-014

(U 39 M)

NOTICE OF EX PARTE COMMUNICATION

Pursuant to Rule 8.5 of the Commission's Rules of Practice and Procedure, the Town of Fairfax provides this notice of an email communication to Sepideh Khosrowjah, Chief of Staff to Commissioner Mike Florio.

On February 8, 2012, at approximately 12:14 p.m., Fairfax Town Council member Larry Bragman sent an email to Ms. Khosrowjah in regard to the Town of Fairfax Council's special meeting to discuss the Smart Meter Opt Out decision. The text of that email was as follows:

From: Lawrence Bragman [mailto:bragman@msn.com]
Sent: Wednesday, February 08, 2012 12:14 PM
To: Khosrowjah, Sepideh; Khosrowjah, Sepideh
Subject: Smart Meter Opt Out Orders and the Town of Fairfax
Hi Sepidah:

The Fairfax Town Council is holding a special meeting this coming Monday evening at 7 p.m. to discuss the CPUC's Smart Meter Opt Out decision. The problem it presents to us is that the Commission will not be considering community opt out until Phase 2 which could be several months away. I requested that the Commission issue a Temporary Stay in Opt Out jurisdictions but there has been no response to date.

Can you please see whether Commissioner Florio can issue a stay order for Opt Out jurisdictions like Fairfax that would like to remain status quo until that issue is

considered by the CPUC? The current plan by PGE to allow opt outs for those who pay the fee cause a lot of confusion in Fairfax and it only seems fair that installation should be stayed in opt out jurisdictions until the Commission considers the issue in Phase 2.

Thank you very much for your time and consideration.

Larry Bragman
Fairfax Town Council

Please contact the undersigned if there are any questions.

Dated: February 13, 2012

Respectfully submitted,

By: /s/ James M. Tobin

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