

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



FILED

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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 (U-39-M).

And Related Matters.

Application 11-03-014
(Filed March 24, 2011)

Application 11-03-015
Application 11-07-020

**WILNER & ASSOCIATES' MOTION REQUESTING ASSIGNED
ADMINISTRATIVE LAW JUDGE TO TAKE OFFICIAL NOTICE OF
MAINE SUPREME JUDICIAL COURT DECISION 2012 ME 90**

Dated: July 26, 2012

David L. Wilner
Wilner & Associates
P.O. Box 2340
Novato, CA 94948-2340
415-898-1200
DavidLWilner@aol.com

**WILNER & ASSOCIATES' MOTION REQUESTING ASSIGNED
ADMINISTRATIVE LAW JUDGE TO TAKE OFFICIAL NOTICE OF
MAINE SUPREME JUDICIAL COURT DECISION 2012 ME 90**

Pursuant to Rule 13.9 of the Commission's Rules of Practice and Procedure, Wilner & Associates ("Wilner") respectfully requests the assigned Administrative Law Judge ("ALJ") in this proceeding to take official notice of Maine Supreme Judicial Court Decision 2012 ME 90 (attached hereto).

I. INTRODUCTION

Wilner has a pending Application for Rehearing in the above-entitled matter which was filed on March 9, 2012. On July 12, 2012, the Maine Supreme Judicial Court issued a decision relating to Smart Meter concerns in that state (see, *Ed Friedman et al. v. Public Utilities Commission et al.*, Decision 2012 ME 90, Docket PUC-11-532). The decision addresses a number of issues that have been raised in the pending Application for Rehearing, and is therefore relevant to the instant proceeding. Wilner respectfully requests that the Commission consider the Maine decision in its deliberations concerning the pending Application for Rehearing.

WHEREFORE, for the reasons stated herein, the assigned ALJ should take official notice of Maine Supreme Judicial Court Decision 2012 ME 90, and make it part of the record in this proceeding.

Respectfully submitted,

/s/

David L. Wilner
Wilner & Associates
P.O. Box 2340
Novato, CA 94948-2340
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