

BEFORE THE PUBLIC UTILITIES COMMISSION OF  
THE STATE OF CALIFORNIA



**FILED**  
10-18-12  
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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 (U39M)

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

And Related Matters.

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

**NOTICE OF EX PARTE COMMUNICATION OF  
THE CENTER FOR ACCESSIBLE TECHNOLOGY**

CENTER FOR ACCESSIBLE TECHNOLOGY  
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October 18, 2012

In accordance with Rule 8.3 of the Commission's Rules of Practice and Procedure, the Center for Accessible Technology (CforAT) hereby gives notice of ex parte communications in Application 11-03-014, Application 11-03-015, and Application 11-07-020 (the consolidated proceeding) regarding cost and cost allocation issues associated with customer opt-outs for smart meters.

On Wednesday, October 17, 2012 at approximately 2:30 pm, Melissa Kasnitz, Legal Counsel for CforAT, met in person with Carol Brown, Chief of Staff to President Michael Peevey, in the offices of the California Public Utilities Commission in San Francisco, California. Communication was oral and lasted approximately 45 minutes. Ms. Kasnitz discussed CforAT's legal analysis concerning applicable state and federal statutes impacting the ability of the Commission to permit, and the ability of the utilities to assess, opt-out charges on customers who opt out of use of smart meters based on medical conditions. CforAT's analysis was consistent with its arguments in its opening and reply briefs on the legal questions set forth in the Phase 2 Scoping Memo issued on June 8, 2012 in this proceeding. CforAT also provided a one-page (two-sided) document, a copy of which is attached hereto, summarizing CforAT's analysis of the legal and factual issues currently under consideration regarding opt-out fees.

Dated this 18th day of October, 2012 in Berkeley, California.

Respectfully submitted,

/s/ Melissa W. Kasnitz

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