

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



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Order Instituting Investigation And Order to Show Cause on the Commission's Own Motion into the Operations and Practices of Pacific Gas and Electric Company with Respect to Facilities Records for its Natural Gas Distribution System Pipelines.

Investigation 14-11-008
(Filed November 20, 2014)

**DECLARATION OF BRITT STROTTMAN IN SUPPORT OF
CITY OF CARMEL-BY-THE-SEA'S OPPOSITION TO PACIFIC
GAS & ELECTRIC'S MOTION TO COMPEL DISCOVERY**

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January 11, 2016

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I, Britt K. Strottman, declare as follows:

1. I am an attorney duly admitted to practice before this Court. I am partner in the law firm of Meyers, Nave, Riback, Silver & Wilson, attorneys of record for CITY OF CARMEL-BY-THE-SEA ("Carmel"), Intervenor in this matter. I have personal knowledge the facts set forth herein, except as to those stated on information and belief and, as to those, I am informed and believe them to be true. If called as a witness, I could and would competently testify to the matters stated herein.

2. I am the lead attorney heading up and setting the strategic course for the attorney team representing party intervenor Carmel in this administrative proceeding. I am charged with preparing Carmel's case for presentation at the upcoming administrative hearing set to come before the Commission on January 19, 2016. As part of my efforts and preparation for this administrative hearing, I personally was involved in arranging for, setting up and conducting the confidential interview of Leslie Banach, the former Director of Information Management Compliance for Pacific Gas & Electric ("PG&E"). Ms. Banach is currently residing and is employed out of state and required a subpoena through her severance agreement in order to hold an interview and respond to the various questions and issues that I wished to explore with her on

behalf of Carmel. Accordingly, I requested and obtained from the Commission a subpoena issued on October 29, 2015 to conduct this interview. A true and correct copy of the issued subpoena is found at Exhibit G to PG&E's Motion to Compel.

3. The interview was conducted at the San Francisco law offices of Meyers Nave and I also asked that Carmel Police Chief Calhoun attend this interview. Chief Calhoun is also the Director of Safety for Carmel and, accordingly, he is charged with handling the various public health and safety issues at play here coupled with addressing the concerns of the first responders. Other than the attorneys and Chief Calhoun's notes, no writing summary or written statement was created from this interview as I have previously informed PG&E's counsel by email communication dated December 31, 2015. A true and correct copy of which is found at Exhibit S. Moreover in that communication, I specifically informed PG&E that the factual basis for the questions posed in Carmel's second data request was derived from our own investigation and analysis of the facts, including, but not limited to, the October 29, 2015 interview of Leslie Banach. I also informed PG&E that no writings of any type were received from Leslie Banach. In my letter to attorney Marie Fiala on December 2, 2015, I informed PG&E's counsel the "we have not received any documents in response to the subpoena." A true and correct copy of my letter of December 2, 2015, is found at Exhibit J. Then, I again informed PG&E in my email communication to them on December 31, 2015, that Ms. Banach had not provided any documents, whether hard copies, emails, electronic files or in any other form to Carmel. Exhibit S.

4. The series of Data Requests at issue in this motion to compel relate to the chain of custody and overall reliability as to the record keeping of PG&E as it relates to the Carmel job file. The Carmel job file is fully in the possession, custody and control of PG&E. In addition, Carmel's Data Set makes specific reference to PG&E employees/agents Kurt Kremptotic and Alfonso Cornejo. These individuals also are within PG&E's control and PG&E has never contended otherwise.

5. Attached as Exhibit B is a true and correct copy of Carmel's Data Requests, Set Two, Nos. 2-42 dated November 19, 2015.

6. Attached as Exhibit C is a true and correct copy of PG&E's Data Responses to Carmel's Data Requests, Nos. 2-42. These were not all completed until December 28, 2015 .

7. Attached as Exhibit Q is a true and correct copy of Carmel's response to PG&E's meet and confer letter dated December 20, 2015.

8. Attached as Exhibit T is a true and correct copy of the Commission Order Instituting Investigation and Order to Show Cause dated November 20, 2014.

9. Attached as Exhibit U is a true and correct copy of the Prepared Direct Testimony of Police Chief Michael Calhoun on Behalf of Carmel dated October 14, 2015.

10. Attached as Exhibit V is a true and correct copy of Excerpts from I.11-02-016, PG&E's Response to CPSD's Reports: Records Management Within the Gas Transmission Division of PG&E Prior to the Natural Gas Transmission Pipeline Rupture and Fire, San Bruno, California, September 9, 2010 and Report and Testimony of Margaret Felts, Testimony of Witnesses – PG&E Company Expert Report of Maura L. Dunn, MLS, CRM, PMP.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed January 11, 2016, at Oakland, California.



Britt K. Strottman

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