



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

Application of Pacific Gas and Electric  
Company for Approval of the Retirement of  
Diablo Canyon Power Plant, Implementation  
of the Joint Proposal, And Recovery of  
Associated Costs Through Proposed  
Ratemaking Mechanisms  
(U 39 E)

A1608006

Application 16-08-006  
(Filed August 11, 2016)

**NOTICE OF AVAILABILITY**

By this document, notice is provided to the persons named on the attached Service List, that a electronic copies of the two documents constituting the EXHIBITS to Environmental Progress's AMENDED MOTION TO SUSPEND CONSIDERATION OF PACIFIC GAS AND ELECTRIC COMPANY'S APPLICATION FOR APPROVAL OF THE RETIREMENT OF DIABLO CANYON POWER PLANT, IMPLEMENTATION OF THE JOINT PROPOSAL, AND RECOVERY OF ASSOCIATED COSTS THROUGH PROPOSED RATEMAKING MECHANISMS is available at this URL (there are two parts):

<https://files.acrobat.com/a/preview/88d4225d-502b-497d-8ac9-8a2ab8281a9b>

A copy of the document can be obtained by contacting:

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**PROCEEDING: A1608006 - PG&E - FOR APPROVAL**

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**TABLE OF CONTENTS/INDEX OF  
EXHIBITS TO EP MOTION TO SUSPEND**

<b>Exhibit</b>	<b>Exhibit No.</b>	<b>Page No.</b>
Jeff McDonald, "AG Says CPUC Probe Hasn't Stalled," <i>San Diego Union Tribune</i> , May 14, 2016.	1	1
Jeff McDonald, "State to Reopen San Onofre Settlement Deal," <i>San Diego Union Tribune</i> , May 9, 2016.	2	4
Michael Picker, "Nuclear Power's Last Stand in California: Will Diablo Canyon Die?" <i>San Francisco Chronicle</i> , November 14, 2015.	3	6
California Energy Almanac, "In-State Electric Generation by Fuel Type," 2016. Exhibit	4	9
California Air Resources Board, "2016 Edition California Greenhouse Gas Inventory for 2000-2014 — by Sector and Activity."	5	11
Statement of Probable Cause supporting Search Warrant 71801 for personal email records of Stephen Pickett, Special Agent Reye Diaz, September 25, 2015.	6	15
Jeff McDonald, "San Onofre Plan Details Under Scrutiny," <i>San Diego Union-Tribune</i> , March 14, 2015.	7	42
Jeff McDonald, "Aguirre Pushing for Brown's Emails," <i>San Diego Union-Tribune</i> , November 13, 2015.	8	45
Declaration of Stephen Pickett, April 28, 2015,	9	47
Email from Ronald Litzinger, April 11, 2013.	10	51
John Geesman, LinkedIn.	11	52
Mark Lifsher, "California Commission Could Get Pro-Consumer Majority," <i>Los Angeles Times</i> , January 7, 2011.	12	56

ALLIANCE FOR NUCLEAR RESPONSIBILITY’S NOTICE OF EX PARTE COMMUNICATIONS	13	58
Rochelle Becker, untitled, Alliance for Nuclear Responsibility, June 19, 2013.	14	60
CPUC, “CPUC Takes Action in Response Inappropriate PG&E Contact with Agency Officials ,” September 15, 2014.	15	64
Michael Picker, “Introductory Remarks,” January 15, 2016	16	66
Jeff McDonald, “Ex-Regulator to Be Toasted by Industry,” January 30, 2015	17	77
Michael Picker, California Form 803, filed February 3, 2015	18	79
Jeff McDonald, “Power Player Got Energy Deal,” <i>San Diego Union Tribune</i> , April 27, 2015	19	83
Jeff McDonald, “CPUC Approves Edison Energy Deals,” <i>San Diego Union Tribune</i> , November 19, 2015	20	86
Jeff McDonald, “CPUC boss had questions before disclosing party role,” March 27, 2015.	21	88
Letter from Michael Aguirre to Assemblymember Anthony Rendon, April 6, 2015.	22	89
Jaxon Van Derbeken, “Judge: Regulator should release Brown emails on nuclear plant shutdown,” <i>San Francisco Chronicle</i> , November 28, 2015.	23	96
Jeff McDonald, “Judge Calls for Review of Emails,” <i>San Diego Union Tribune</i> , January 15, 2016.	24	102
Jaxon Van Derbeken, “Order could lead to release of emails between Brown’s office, CPUC,” <i>San Francisco Chronicle</i> , January 25, 2016	25	104
Liame Dillon, “How a bid to reform the CPUC fell apart on the last day of the session,” <i>Los Angeles Times</i> , September 2, 2016	26	107
Jeff McDonald, “2 CPUC Reform Proposals Die, Emails Will Stay Secret,” <i>San Diego Union-Tribune</i> , September 1, 2016.	27	111
Letter from Assemblyman Rendon to Picker, March 19, 2015.	28	114
Melanie Mason, “Brown vetoes transparency bills for troubled commission,” <i>Los Angeles Times</i> , October 9, 2015.	29	116
Letter from climate scientists and environmentalists to Governor Jerry Brown, August 11, 2016.	30	118
California Power Sector Emissions Remain High After SONGS Closure	31	126
Bill Text - SB-32 California Global Warming Solutions Act of 2006/ emissions limit.	32	142

# AG says CPUC probe hasn't stalled

Reports of missed deadlines are 'absolutely incorrect,' Harris says



[\(/staff/jeff-mcdonald/\)](#)

By [Jeff McDonald \(/staff/jeff-mcdonald/\)](#) | 8 a.m. May 14, 2016



At this past week's Senate debate, Kamala Harris said of the utilities commission, "We are concerned about what's going on there, that's why there's an active criminal investigation. And the bottom line is this: We are going to go where the facts lead us." — *Hayne Palmour IV*

Eighteen months ago, when the Attorney General's Office served a search warrant on the California Public Utilities Commission headquarters in San Francisco, agents carted away computers, files and other materials by the armful.

It was more than a raid. It was a dramatic message to utility regulators: Attorney General Kamala Harris was serious about investigating government corruption.

Two months later, her agents searched longtime commission President Michael Peevey's home in La Canada Flintridge.

Among other things, they found notes outlining an undisclosed meeting in Poland where Peevey and a utility executive discussed the framework for a deal to charge utility customers billions of dollars for the failed San Onofre nuclear power plant.

In recent months, as the commission ramped up spending on criminal defense lawyers, the Attorney General's Office investigation of state utility regulators has been much more quiet.

Gone are the swarms of agents showing up unannounced to rifle through desktops and office drawers.

Now when prosecutors seek evidence about San Onofre's faulty replacement steam generators, they contact attorneys for the commission and majority owner Southern California Edison and give them whatever time they need to decide which records to hand over.

A spokesman for the attorney general said he could not discuss details but said Harris remains dedicated to the investigation.

"The attorney general is committed to combating public corruption and protecting the rights of California consumers, including taxpayers and ratepayers," spokesman David Beltran wrote in a statement. "No government agency and no public utilities company is above law."

Harris herself addressed the issue at a debate this past week in her bid for the U.S. Senate.

"We are concerned about what's going on there, that's why there's an active criminal investigation," she said. "And the bottom line is this: We are going to go where the facts lead us."

Consumer advocates, legal scholars and others question why the public-corruption case appears to have slowed and whether Harris's political aspirations intruded on the process.

"It's completely rational to wonder whether or not the investigation has become too much of a political albatross for Attorney General Harris," said Jessica Levinson, a professor at Loyola Law School in Los Angeles. "It's not that she's slamming on the brakes, but she's not hitting the gas."

Harris is the former San Francisco district attorney who won a close race to succeed Jerry Brown as attorney general when he was elected governor in 2010. She is now considered the frontrunner for Senate seat being vacated this year by Barbara Boxer.

Beltran said the campaign has no bearing on the criminal review of commission practices.

"Any potential charges would be filed based on the facts and not election cycles," his statement said.

The office is diligently reviewing more than a million pages of records, and it takes time to digest the materials and determine whether there is enough evidence to file criminal charges that can be proved in court, Beltran said.

Former prosecutor Alin Cintean said white-collar investigations can drag on for years while investigators wade through complicated documents. The case was likely made more difficult by the commission's decision to bring in outside lawyers, he said.

"While it is not unusual for innocent parties to hire counsel, it is strange for a public regulatory agency to do so," said Cintean, now a defense lawyer in Sacramento. "It smells fishy. Imagine your local code enforcement agency hiring criminal defense counsel to fend off an investigation."

In their latest funding request, pushing the tab past \$12 million, commission officials said staff lawyers were not qualified to represent the agency in criminal cases and the Attorney General's Office is conflicted because it is conducting the investigation.

### **'The only recourse'**

State utility regulators opened their administrative investigation into what caused the San Onofre failure in October 2012, nine months after the plant shut down amid a radiation leak. Harris sought to be treated as a party to the proceeding in January 2013. She said her office is the state's chief law enforcement agency and has broad powers to protect the public interest.

"She intends to help ensure that there is a complete and transparent discussion of issues related to the facility and its reliability," the motion stated.

The attorney general never filed any briefs, requests or other papers in the case, even after San Diego consumer attorney Mike Aguirre argued that customers were being illegally charged for the San Onofre shutdown and Sen. Boxer publicly called for a criminal investigation.

By September 2014, four years after a Pacific Gas & Electric gas pipeline exploded in his district and killed eight people, state Sen. Jerry Hill, D-San Mateo, was convinced Harris was not doing all she could to root out corruption at the utilities commission.

Hill called a news conference to demand Harris open a criminal investigation into recently released emails between utility executives and regulators — records suggesting routine friendly backchannel communications and favor trading.

"Your involvement is the only recourse available to Californians when their supposed utilities watchdog appears to violate state law," Hill wrote in a hand-delivered letter to Harris.

According to records obtained by the Sacramento Bee, Harris opened her investigation the same day.

Weeks later, her agents descended into the Van Ness Avenue offices and seized box after box of potential evidence.

In an interview, Hill said he hopes Harris has not abandoned the case.

"This is a real breach of our trust," Hill said. "The explosion, the fire and what we've seen of late with San Onofre, those are serious issues. Getting corruption out of government should and must be our top priority and our attorney general should put the resources into doing so."

### **Statute of limitations**

In some ways, the simple passage of time has caused commission critics to worry that Harris is less than fully committed to holding utility regulators accountable.

They note more than three years have passed since Peevey and former Edison executive Stephen Pickett met secretly in Warsaw, Poland, to discuss a framework for the deal that eventually assigned \$3.3 billion in San Onofre closure costs to customers instead of utility shareholders.

The March 26, 2013, meeting date is significant because under the state Penal Code, the statute of limitations for certain crimes is three years.

Beltran downplayed the significance of the anniversary passing without charges, indicating that prosecutors could offer other legal arguments to prove their case if evidence leads them in that direction.

"This is a comprehensive investigation and the law does not foreclose our pursuit of charges if charges are appropriate and justified," he wrote.

At the Senate debate, Harris also said it's "absolutely incorrect" that the deadline to file charges has passed.

Critics also note that prosecutors have not challenged the privilege exemptions asserted by commission lawyers, who have withheld records for months and still have hundreds of thousands of documents to wade through before deciding whether to release them to investigators.

"The privileges are all being asserted, and she hasn't challenged any of those," said Aguirre, a former federal prosecutor now suing the commission in multiple venues. "She's not interested in prosecuting this case."

One of the lawsuits Aguirre filed seeks to overturn the commission's 2014 approval of the San Onofre settlement. That particular case that may be irrelevant, since the commission this past week decided to reopen the settlement for further review this past week — in light of revelations of secret meetings that helped shape the deal, outside the required public process.

Another suit involves the commission's refusal to release 65 San Onofre-related emails to and from the Governor's Office. Aguirre is also seeking the same emails via a request to the Governor's Office, asking for the emails of Nancy McFadden, Gov. Jerry Brown's top aide and a former utility executive.

The Attorney General's Office is representing McFadden in the dispute.

"The public interest in nondisclosure of the requested records clearly outweighs the public interest in disclosure and we decline to provide them on that basis," a deputy attorney general wrote to Aguirre last month.

Aguirre sees the dual roles for Harris's office as a conflict.

"The AG in short is helping the governor hide the written record of his involvement in the San Onofre scandal rather than exposing it," Aguirre said.

Beltran said Harris's criminal probe of the commission is unrelated to her representation of McFadden in the records request so there is no conflict of interest.

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# State to reopen \$4.7 billion San Onofre deal

## Deal left ratepayers to pay most of cost for premature shutdown of failed nuclear power plant



[\(/staff/jeff-mcdonald/\)](#)

By [Jeff McDonald \(/staff/jeff-mcdonald/\)](#) | 4:55 p.m. May 9, 2016



State utility regulators on Monday reopened the agreement they approved in 2014 that assigned ratepayers the lion's share of the multibillion-dollar cost for premature shutdown of the failed San Onofre nuclear power plant.

The action represents a significant turnaround for the California Public Utilities Commission, which stood behind the settlement agreement for 18 months amid growing criticism — even from parties to the \$4.7 billion deal — that the process and the outcome were stacked against the public and for utility companies.

Reopening the settlement terms could mean a better deal for utility customers. It could also prove an important test of the commission's latest posture toward the power companies it regulates, as those companies have continued to say the deal was good for ratepayers and the process was above-board and open to the public.

To approve such a settlement, the commission must find that it is "reasonable in light of the whole record, consistent with law, and in the public interest."

Since the commission approved the settlement, there have been repeated revelations about undisclosed meetings that helped form its substance — calling into question whether it was properly deemed reasonable in light of the whole record.

Commissioner Catherine J.K. Sandoval and Administrative Law Judge Maribeth Bushey said, in taking action to reopen the settlement, that it needs to be held up anew against that standard.

"The parties should prepare their best assessment of whether the settlement agreement is reasonable in light of the record, consistent in the law and in the public interest," their order states.

The order also immediately prohibits any further *ex parte*, or private, communications between parties to the proceeding and commissioners or their advisers, even on procedural matters.

"Such procedural communications may be directed to the assigned administrative law judge," the order stipulates.

Backchannel communications between utility executives and regulators are at the heart of separate state and federal criminal investigations into commission practices.

The criminal cases have been open since 2014 but no charges have been filed. The commission is proposing to spend more than \$12 million of ratepayer funds on private lawyers to respond to subpoenas, search warrants and demands from investigators.

Commission spokeswoman Terrie Prosper declined to say what prompted the change of heart on Monday.

Majority plant owner Southern California Edison issued a statement saying that company officials are reviewing the commission ruling but Edison nonetheless stands by the 2014 deal resolving costs related to closing the San Onofre Nuclear Generating Station.

"SCE continues to believe the SONGS settlement remains in the public interest," the statement said.

San Diego Gas & Electric owns 20 percent of the power plant on the north San Diego County coast, which closed amid a radiation leak in January 2012 after a faulty replacement steam generator upgrade.

The 9-page ruling from the commission calls on Edison to file a status report by June 2 detailing what the utility has done to date as far as implementing the 2014 order.

The order also directs other parties to file briefs by July 7 discussing the adopted settlement. By July 21, all parties were directed to submit reply briefs and recommendations about how the case should proceed.

San Diego consumer attorney Michael Aguirre, who sued the commission to overturn the agreement, said the commission decision speaks to the perseverance of activists like himself and others.

"This proves that when a small group of people come together to fight to the end, justice can be done," he said on Monday.

Aguirre said it will be difficult to defend the settlement terms as they were approved in 2014 because the agreement was modeled on a framework sketched out in a private 2013 meeting between then-commission President Michael Peevey and an Edison executive in a Warsaw, Poland, hotel.

"There's no case to be made for the settlement," Aguirre said. "They have to go back to square one. There's no more Warsaws, so this will have to be done openly and on the record. We can win a fair fight."

The commission ruling comes 18 months after regulators unanimously approved the settlement, reached between Edison and the San Francisco consumer group the Utility Reform Network or TURN.

TURN staff attorney Matthew Freedman said the improper communications cast a pall over the settlement deal.

"TURN looks forward to the opportunity to fight for better results for consumers and to force the shareholders of Southern California Edison and San Diego Gas & Electric to assume a greater share of the costs of the debacle at San Onofre," he said.

The deal was unveiled in March 2014, first portrayed publicly as a \$1.4 billion "rebate" for utility customers — because that's the amount of premature closure costs that would be covered by utility companies.

As the agreement received additional scrutiny, attention turned to the amount utility ratepayers would be funding — \$3.3 billion. The deal began receiving sharp criticism from certain consumer groups.

In September 2014, the deal was amended to include \$25 million for greenhouse-gas emissions research — a key deal point included on notes from the 2013 meeting between Peevey and Edison executive Stephen Pickett in Warsaw.

The climate-change research funding has been another focus of the criminal investigation of the utilities commission.

University of California, Los Angeles, researchers were in contact with Peevey about securing the \$25 million in funding at least nine months before Commissioner Michel Florio publicly proposed adding the money to the agreement.

The commission's order on Monday directs parties to the San Onofre case to weigh in on whether the greenhouse gas research funding was properly handled.

In February 2015, days after The San Diego Union-Tribune reported that the commission's handling of the San Onofre closure had become part of an expanding criminal investigation, Edison publicly acknowledged the Warsaw meeting for the first time.

The utility said Peevey did most of the talking at the Warsaw meeting and the deal should stand because it was negotiated fairly and served all sides well.

Last spring, Sen. Ben Hueso, D-San Diego, publicly called for scrapping the San Onofre deal. Then the commission's Office of Ratepayer Advocates suggested the plant owners should rewrite terms of the settlement and return more than \$600 million to customers.

Almost a year ago, TURN repudiated the deal it negotiated and called on the commission to reopen the agreement.

In August, the judge overseeing the proceeding found that Edison had committed 10 separate violations of commission rules governing ex parte communications in open proceedings. Four months later, the commission fined the utility almost \$17 million for the violations.

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# Nuclear power's last stand in California: Will Diablo Canyon die?

EXHIBIT  
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By David R. Baker | November 14, 2015 | Updated: November 14, 2015 7:22pm

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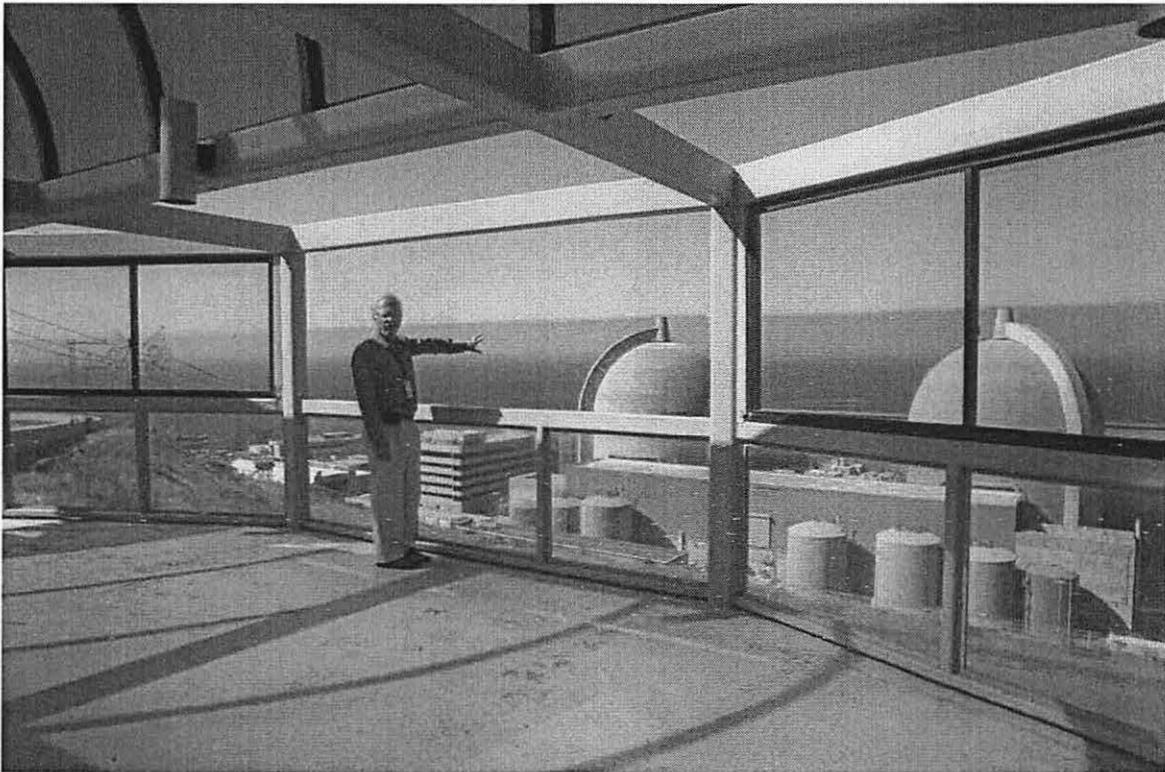


Photo: Nancy Pastor, Nancy Pastor For The SF Chronicle

Monday August 24, 2015 Jearl Strickland director of Director Technical Services at Pacific Gas and Electric Company views the Diablo Canyon Power Plant from a lookout point above the facility. The Diablo Canyon Power Plant is an electricity-generating nuclear power plant near Avila Beach in San Luis Obispo County, California. (Nancy Pastor/For

AVILA BEACH, San Luis Obispo County — California’s largest power plant churns out enough electricity for 1.7 million homes, yet pumps no greenhouse gases into the sky. Unlike the wind farms and solar plants spreading across the state, its output doesn’t vary hour by hour, day or night. It needs little land and less fuel.

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**David R. Baker**

Business Reporter

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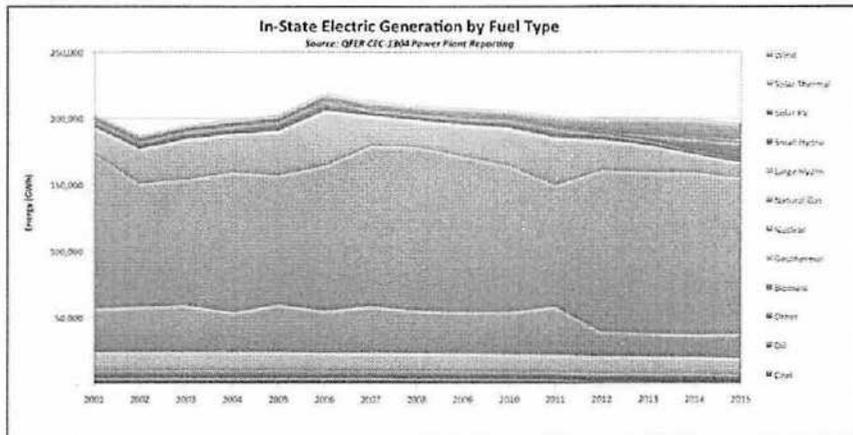
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Home » electricity » electric generation capacity

**Electric Generation Capacity & Energy**

**In-State Electric Generation by Fuel Type (GWh)**

Primary Fuel Type	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
Coal	4,041	4,275	4,269	4,086	4,283	4,190	4,217	3,977	3,735	3,406	3,120	1,580	1,018	1,011	538
Biomass	5,762	6,197	6,094	6,082	6,078	5,863	5,764	5,927	6,111	5,981	6,051	6,201	6,550	6,776	6,356
Geothermal	13,525	13,396	13,329	13,494	13,292	13,093	13,084	12,907	12,907	12,740	12,685	12,733	12,479	12,186	11,994
Nuclear	33,294	34,353	35,594	30,241	36,155	32,036	35,698	32,482	31,509	32,214	36,666	18,491	17,860	17,027	18,525
Natural Gas	116,341	92,697	94,428	105,222	97,161	109,176	120,466	123,037	117,287	109,886	91,221	121,884	121,067	121,975	117,482
Large Hydro	20,144	26,003	30,325	28,945	33,334	40,952	22,640	19,887	23,659	26,483	35,682	22,737	20,319	13,739	11,569
Small Hydro	4,844	5,354	5,996	5,545	6,928	7,607	4,466	4,573	4,880	5,706	7,049	4,723	3,778	2,737	2,423
Solar PV	3	2	2	2	2	2	2	3	11	82	208	962	3,653	8,949	12,571
Solar Thermal	834	848	757	739	658	614	666	730	841	879	889	867	686	1,624	2,446
Wind	3,242	3,546	3,316	4,258	4,084	4,902	5,570	5,724	6,249	6,172	7,598	9,242	11,964	13,074	11,856
Oil	379	87	103	127	148	134	103	92	67	52	36	48	38	45	54
Other	38	35	108	48	24	34	15	39	20	12	13	14	14	16	14
<b>Grand Total</b>	<b>202,446</b>	<b>186,794</b>	<b>194,320</b>	<b>198,788</b>	<b>202,150</b>	<b>218,601</b>	<b>212,691</b>	<b>209,378</b>	<b>207,276</b>	<b>205,612</b>	<b>201,220</b>	<b>199,483</b>	<b>199,427</b>	<b>199,159</b>	<b>195,829</b>

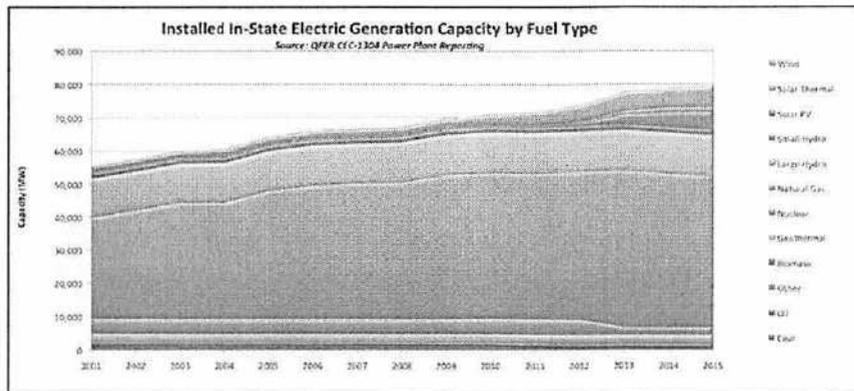


Source: QFER CEC-1304 Power Plant Data Reporting

**Installed In-State Electric Generation Capacity by Fuel Type (MW)**

Primary Fuel Type	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
Coal	595	595	595	595	595	595	595	571	576	581	444	275	275	167	167
Biomass	1,143	1,139	1,083	1,075	1,080	1,085	1,093	1,082	1,095	1,104	1,153	1,182	1,214	1,296	1,297
Geothermal	2,625	2,623	2,623	2,623	2,623	2,641	2,586	2,598	2,648	2,648	2,648	2,703	2,703	2,703	2,716
Nuclear	4,456	4,456	4,456	4,456	4,456	4,456	4,456	4,456	4,456	4,577	4,577	4,577	2,323	2,323	2,323
Natural Gas	30,377	32,688	35,063	35,027	38,587	40,238	40,909	41,180	43,400	43,980	43,949	44,573	47,135	46,229	45,437
Large Hydro	11,848	11,713	11,713	11,962	11,951	12,042	11,793	12,074	12,074	12,105	12,145	12,145	12,155	12,244	12,252
Small Hydro	1,748	1,741	1,737	1,736	1,740	1,738	1,740	1,728	1,735	1,724	1,723	1,735	1,729	1,728	1,720

Solar PV	2	2	2	2	2	2	2	6	11	109	214	737	3,031	4,589	5,498
Solar Thermal	410	378	378	378	378	400	400	400	408	408	408	408	925	1,300	1,292
Wind	1,534	1,544	1,571	2,064	2,089	2,310	2,373	2,462	2,728	3,183	3,992	4,967	5,800	5,887	6,288
Oil	590	567	567	567	567	506	575	575	552	509	348	350	350	351	351
Other	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16
Grand Total	55,344	57,462	59,805	60,501	64,084	66,030	66,538	67,148	69,699	70,943	71,616	73,668	77,656	78,834	79,359



Source: QFER CEC-1304 Power Plant Data Reporting

Data based on CEC-1304 QFER Database as of May 6, 2016

These tables and corresponding charts are provided to show the total installed electric generation nameplate capacity of all power plants one megawatt (MW) and larger located within California, and the corresponding generation from these resources. The data is collected under the authority of the California Code of Regulations, Title 20, Division 2, Chapter 3, Section 1304(a)(1)-(2).

The information in these charts and tables is based on metering at each power plant site and, therefore, does not account for the 7-8 percent (typical) loss attributed to transmission or delivery to the customer's meter. In addition, the information includes both non-retail sales (for example, water delivery) and retail sales. Thus, the information cannot be used to determine progress toward the Renewable Portfolio Standard. Also, the information does not include power plants with a nameplate capacity of less than one megawatt (1 MW) such as rooftop solar installations, other small distributed generation, backup power generators, or imported energy from surrounding control areas. Data is subject to change based on revisions and quality control checks.

For more information on the Renewable Portfolio Standard, please visit this page:  
<http://www.energy.ca.gov/portfolio/index.html>

For a complete profile of California's total generation, please visit the following two sources, also within the Energy Almanac:

- > [Total System Power](#)
- > [Electric Generation by Resource Type](#)

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Last reviewed on June 17, 2016

# California Greenhouse Gas Emission Inventory - 2016 Edition

## 2016 Edition of the GHG Emission Inventory Released (June 2016)

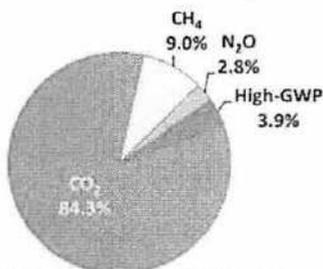
- GHG emissions from 2000 to 2014 are now available. Links to data and documentation can be found below.
- Carbon dioxide equivalent values are calculated using the IPCC's Fourth Assessment Report Global Warming Potential values. More information.

## Background

California's annual statewide greenhouse gas (GHG) emission inventory is an important tool for establishing historical emission trends and tracking California's progress in reducing GHGs. In concert with data collected through various California Global Warming Solutions Act (AB 32) programs, the GHG inventory is a critical piece in demonstrating the state's progress in achieving the statewide GHG target. The inventory provides estimates of anthropogenic GHG emissions within California, as well as emissions associated with imported electricity; natural sources are not included in the inventory. The Air Resources Board (ARB) is responsible for maintaining and updating California's GHG Inventory per H&SC §39607.4.

The inventory includes estimates for carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), and fluorinated gases with high global warming potentials (High-GWP) which includes sulfur hexafluoride (SF<sub>6</sub>), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and nitrogen trifluoride (NF<sub>3</sub>). It uses an inventory scope and framework consistent with international and national GHG inventory practices. An updated emission inventory is published annually to include additional years and improved estimation methods. Archives of all previous inventory data and documentation are available on the archive page.

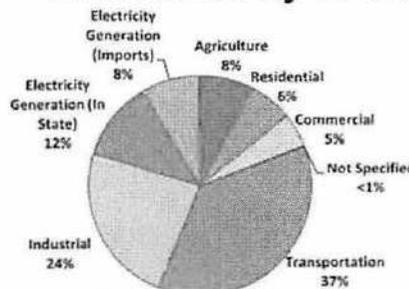
### Emissions by GHG



2014 Total CA Emissions: 441.5 MMTCO<sub>2</sub>e

[Click the graph for more information](#)

### Emissions by Economic Sector



2014 Total CA Emissions: 441.5 MMTCO<sub>2</sub>e

## Data Overview

Statewide emission estimates rely on state, regional or federal data sources, and on aggregated facility-specific emission reports from ARB's Mandatory GHG Reporting Program (MRR). Calculation methodologies are consistent with the 2006 IPCC guidelines. The current inventory uses global warming potential (GWP) values from the IPCC Fourth Assessment Report, consistent with current international and national GHG inventory practices. Full documentation of data sources and methods is available below or by using the detailed documentation index.

In preparation for each new edition of the inventory, recalculations are made to correct errors, incorporate new methodologies or, most commonly, to reflect changes in statistical data supplied by other agencies. Emission estimates are recalculated for all years to maintain a consistent time-series following IPCC recommendations for developing GHG inventories. Thus the new inventory may report a different emission level for an earlier year than previous inventory editions.

The California GHG inventory is categorized in three ways:

1. Scoping Plan; follows the categories identified in the AB 32 Scoping Plan.
2. Economic sectors; allows for comparison with other ARB emission inventories, which are similarly categorized.
3. IPCC process-oriented categories; follows the IPCC categorization to ensure comparability with international inventories.

The table below provides a crosswalk among the three categorization schemes

- [Inventory Categorization Crosswalk \[Excel-55 KB\]](#)

## Inventory Documentation

### Download Reports

- [2000-2014 Emissions Trends Report \[PDF-1,444 KB\]](#)
- [2000-2014 Frequently Asked Questions \[PDF-87 KB\]](#)
- [2000-2014 Method Update Document \[PDF-380 KB\]](#) - includes only methods that have changed for the 2000-2014 inventory.
- [\[COMING SOON\] 2000-2014 Technical Support Document](#) - a comprehensive methodology documentation that incorporates updates in the 2015 and 2016 inventory editions, as well as methods that are unchanged since the release of the 2000-2012 Technical Support Document.

### Go To Detailed Documentation Index

- [Interactive documentation index by IPCC category](#)

## Data Links

### Download a Summary of the Inventory

- [Scoping Plan Categorization](#) PDF [84 KB] Excel [22 KB]
- [Economic Sector Categorization](#) PDF [92 KB] Excel [36 KB]

- IPCC Categorization PDF [116 KB] Excel [49 KB]
- Totals By Gas PDF [65 KB] Excel [15 KB]

### Emission Summary Segregated by Gas

Categorization	CO <sub>2</sub> Only	CH <sub>4</sub> Only	N <sub>2</sub> O Only	High-GWP Only
Scoping Plan	[PDF-80 KB]	[PDF-80 KB]	[PDF-81 KB]	[PDF-67 KB]
Economic Sector	[PDF-81 KB]	[PDF-80 KB]	[PDF-80 KB]	[PDF-67 KB]
IPPC Category	[PDF-92 KB]	[PDF-94 KB]	[PDF-92 KB]	[PDF-66 KB]

### Download the Entire Inventory

- Scoping Plan Categorization [Excel-327 KB]
- Economic Sector Categorization [Excel-464 KB]
- IPCC Categorization [Excel-335 KB]

### Query the Inventory

► Query the inventory by economic sector and/or by activity. This interactive query tool allows you to select a subset of the inventory, graph it or download it to your computer. Each value also contains links to detailed methodology pages. More details on the query tool's help page.

### Guidance for Working with GHG Inventory and MRR Data

The ARB Regulation for the Mandatory Reporting of GHG Emissions (MRR) is a primary data source for the statewide inventory but emissions are categorized differently in the two programs. Industrial cogeneration (also known as Combined Heat and Power, or CHP) represents the major categorization difference. The guidance document below provides instruction for working with and crosswalking between the two datasets. A spreadsheet provides GHG inventory industrial cogeneration emissions disaggregation to facilitate comparison with MRR data.

- Guidance for Working with the GHG Inventory and MRR Data Using Disaggregated Industrial Cogeneration Data [PDF-103 KB]
- 2013 and 2014 Industrial Cogeneration Breakout [Excel-40 KB]

## Other Useful Links

Current Inventory Graphs & Plots

Archive - data and documentation for all past inventories

## Original (1990-2004) Inventory

GHG emissions prior to 2000 are included in the 1990-2004 GHG Emission Inventory published in November 2007 (data available in the 1990 Level & Limit section of this site). This inventory provided the basis for developing the 1990 statewide emission level and 2020 emission limit required by the Global Warming Solutions Act of 2006 (AB 32).

***For general questions regarding California's Greenhouse Gas Emission Inventory, please contact: Anny Huang, Manager, Emission Inventory Analysis Section, Phone: (916) 323-8475***

SUPERIOR COURT OF CALIFORNIA  
County of Los Angeles

71801

SEARCH WARRANT RETURN  
and  
INVENTORY

EXHIBIT  
6

Search Warrant No. 71801  
Issuing Magistrate: M.L. Villar  
Date warrant issued: 9/25/2015  
Date warrant executed: 9/25/2015  
Location/Vehicles/Persons served and title:  
Microsoft Corporation  
One Microsoft Way  
Redmond, WA 98052  
For personal email records of Stephen Pickett  
Manner of service: Faxed to 425-708-0096

FILED  
2015 NOV 13 AM 11 21

I, Special Agent Reye Diaz, Office of the Attorney General, the affiant for this search warrant, state: The information listed above is correct and during the execution of the search warrant, the following property was seized:  
On September 25, 2015, your affiant served Microsoft Corporation with the search warrant authorized by the Honorable M.L. Villar, Los Angeles County Superior Court on September 25, 2015.  
On October 28, 2015, Microsoft Corporation provided me approximately 1,400 emails related to Stephen PICKETT. These emails were subsequently turned over to the Office of the Attorney General's Litigation Support Unit and will be loaded into a database for my review after the emails are reviewed by others for attorney client privilege.  
Microsoft has complied to the search warrant as ordered by the court.

I declare under penalty of perjury that the foregoing is true.

Date: 11/13/2015

*Reye Diaz* 11/13/15  
Special Agent Reye Diaz AG#10  
Affiant

*Edmund Willcox Clarke, Jr.*  
Judge of the Court  
EDMUND WILLCOX CLARKE, Jr.



Penal Code § 1537

28

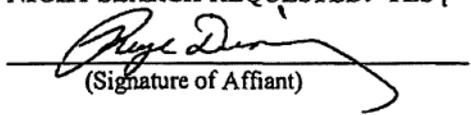
SW No. 71801

STATE OF CALIFORNIA - COUNTY OF LOS ANGELES  
SEARCH WARRANT AND AFFIDAVIT

(AFFIDAVIT)

Special Agent Reye Diaz, California Department of Justice, swears under oath that the facts expressed by him/her in this Search Warrant, and in the attached and incorporated statement of probable cause consisting of 18 pages, are true and that based thereon he/she has probable cause to believe and does believe that the property and/or person described below is lawfully seizable pursuant to Penal Code Section 1524, as indicated below, and is now located at the locations set forth below. Wherefore, affiant requests that this Search Warrant be issued.

NIGHT SEARCH REQUESTED: YES [ ] NO [X] - Justification on page(s) \_\_\_\_\_

  
(Signature of Affiant)

(SEARCH WARRANT)

THE PEOPLE OF THE STATE OF CALIFORNIA TO ANY SHERIFF, POLICEMAN OR PEACE OFFICER IN THE COUNTY OF LOS ANGELES: proof by affidavit having been made before me by Special Agent Reye Diaz, that there is probable cause to believe that the property described herein may be found at the locations set forth herein and that it is lawfully seizable pursuant to Penal Code Section 1524 as indicated below by "x"(s) in that it:

- \_\_\_\_\_ it was stolen or embezzled
- it was used as the means of committing a felony
- it is possessed by a person with the intent to use it as means of committing a public offense or is possessed by another to whom he or she may have delivered it for the purpose of concealing it or preventing its discovery
- it tends to show that a felony has been committed or that a particular person has committed a felony
- \_\_\_\_\_ it tends to show that sexual exploitation of a child, in violation of Section 311.3, or depiction of sexual conduct of a person under the age of 18 years, in violation of Section 311.11, has occurred or is occurring
- \_\_\_\_\_ there is a warrant for the person's arrest;

YOU ARE THEREFORE COMMANDED TO SEARCH:

See attached Exhibit "A" "B"

FOR THE FOLLOWING PROPERTY:

See attached Exhibit "A" "B"

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SEARCH WARRANT (Page 2)

AND TO SEIZE IT IF FOUND and bring it forthwith before me, or this court, at the courthouse of this court. This Search Warrant and incorporated Affidavit was sworn to as true and subscribed before me this day of 9/25/15, 2015, at 9:40 A.M./P.M. Wherefore, I find probable cause for the issuance of this Search Warrant and do issue it.

M.L. VILLAR  
(Signature of Magistrate)  
Judge of the Superior Court – County of Los Angeles



NIGHT SEARCH APPROVED: YES [ ] NO [ X ]  
(Magistrate's Initials)

Be advised that pursuant to California Penal Code sections 1639 and 1540, you may file a written motion in the court of the above-mentioned judge who issued the warrant, seeking return of the property seized pursuant to this warrant.

For further information concerning this search warrant, contact the officer whose name appears on the warrant, Special Agent Reye Diaz at (916) 916-322-2686 or at [reyediaz@doj.ca.gov](mailto:reyediaz@doj.ca.gov)

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**SEARCH WARRANT (Page 3)**

**EXHIBIT "A"**

**LOCATION #1:**

**Stephen Pickett email account:**

**See Attached "B" for specific email information:**

**MAY BE SERVED VIA EMAIL or FAX**

**FOR THE FOLLOWING PROPERTY:**

**Any and all email records and correspondence occurring between January 2012 through current on any, and all, email account(s) belonging to Stephen PICKETT, to specifically include the email account listed in Attachment "B".**

Upon receipt of all emails from Microsoft Corporations or any other provider:

Upon receipt, the emails will be reviewed by California Attorney General personnel for the following items: Any and all records and correspondence from January 2012 until current, involving the San Onofre Nuclear Generating Station (SONGS) closure settlement agreement, the 2013 meeting between Stephen PICKETT and Michael PEEVEY in Poland, communication(s) pertaining to the determination of when and why SONGS would be closed, commitment of monies for research as a result of the closure of SONGS, and communication(s) pertaining to the settlement of the SONGS Order Instituting Investigation (OII). These records are to include:

1. Internal correspondence, emails, text messages, logs, support letters, letters, documentation, as well as correspondence, emails, text messages, logs, support letters, letters, documentation between SCE officials and CPUC officials, decision makers, Michel FLORIO, Michael PEEVEY, Edward RANDOLPH, and CPUC ALJs as they relate to the UCLA Luskin Institute at UCLA, University of California, UCLA's Institute of the Environment and Sustainability, California Center for Sustainable Communities at UCLA, the SONGS closure, the SONGS settlement, the SONGS OII investigation, and commitment of research funds involving the CPUC, and any and all lobbying efforts on any of these topics.
2. SCE communications between SCE executive staff, including but not limited to Ron LITZINGER, Ted CRAVER, and Stephen PICKETT, regarding the meeting between PICKETT and PEEVEY in Poland, the SONGS settlement, the SONGS OII investigation, and monies committed to a research fund as a result of the SONGS closure.

**It is further ordered that Microsoft Corporation, and/or any email provider, not notify any person of the existence of this order until further order of this court. Affiant submits that such an order is justified because notification of the existence of this order could seriously jeopardize the ongoing investigation. Such a disclosure could give account holder(s) an opportunity to destroy evidence.**



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71801

SUPERIOR COURT OF CALIFORNIA

County of Los Angeles

Search Warrant  
Sealing Order

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2015 NOV 13 AM 11:11  
JW

Warrant No. \_\_\_\_\_

Place to be searched: STEPHEN PICKETT EMAIL ACCOUNTS

Application for Sealing Order: I hereby request that the following document(s) submitted in support of the requested search warrant be sealed pending further order of the court:

EXHIBIT "B" OF SEARCH WARRANT  
ATTACHMENT "D" OF AFFIDAVIT

Grounds for order: I believe that the sealing of the above document(s) is warranted for the following reasons:

PUBLIC INTEREST: Sealing serves the following public interest:

- Protect a confidential informant (Evid. Code § 1041)
- Conceal official information: (Evid. Code § 1040)

PREJUDICE TO PUBLIC INTEREST: There exists a substantial probability that this public interest would be prejudiced if the information contained in this document(s) is not sealed.

NARROWLY TAILORED: I do not believe it would be possible to release any of the sealed information without prejudicing this public interest.

Declaration: I declare under penalty of perjury that the above information is true.

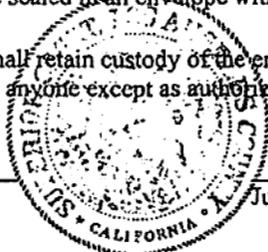
9/25/15  
Date

[Signature]  
Affiant REYE DIAZ

Order: Pursuant to Rule 2.550 of the California Rules of Court, the document(s) identified above shall be sealed and retained in the following manner pending further order of the court:

- (1) The document(s) shall be sealed in an envelope with a copy of this Order affixed to the front of the envelope; and
- (2) The Clerk of the Court shall retain custody of the envelope in a secure place and shall not permit it to be opened by anyone except as authorized by written order of the Court.

9/25/15  
Date



[Signature]  
M.L. VILLAR  
Judge of the Superior Court

**AFFIDAVIT OF REYE EUGENE DIAZ  
IN SUPPORT OF SEARCH WARRANT**

That your affiant, Reye Eugene Diaz, has been employed by the Department of Justice since 1997.

I am currently a Special Agent and "investigative or law enforcement officer" of the State of California within the meaning of 830.1 of the California Penal Code who is empowered by law to conduct investigations and make arrests for offenses committed within the State of California.

From November 1999 until January of 2003, I was assigned to the California Department of Justice, Bureau of Narcotic Enforcement, San Francisco Regional Office. During this time, my primary assignment was to conduct narcotic investigations which routinely required me to work in an undercover capacity, conduct surveillance on suspects, develop and handle informants, as well as author and serve search warrants. During this time, I also served as case agent on mid level narcotic investigations and assisted with numerous high level narcotic investigations.

From February 2003 until November 2014, I was assigned to the California Department of Justice, Bureau of Gambling Control and Bureau of Investigation. During my time with both the Gambling Control and Bureau of Investigation, I served as case agent on numerous investigations pertaining to the following crimes: Pimping, Human Trafficking, prostitution, violent loan sharks/extortion, murder for hire, corruption, embezzlement, grand theft, burglary, illegal lottery, counterfeiting, identity theft, forgery, fraud, embezzlement, and political corruption. I routinely worked with the Federal Bureau of Investigation, the United States Secret Service, the Internal Revenue Service,

the Department of Homeland Security, and local law enforcement personnel on numerous major investigations. During these aforementioned investigations, I have conducted numerous hours of surveillance, routinely utilized sophisticated investigative equipment, conducted numerous interviews and interrogations, conducted numerous undercover operations, arrested hundreds of suspects, routinely worked with informants, written numerous search warrants, and have routinely testified in court.

I am cross designated as a task force agent with the FBI and have received the California Attorney General Peace Officer Award for my work as a criminal investigator. I am currently assigned to the California Attorney General's Financial Fraud Section and Special Prosecutions Unit where I am tasked by the California Attorney General's Office to combat human trafficking, sex trafficking related crimes, as well as conduct financial fraud investigations.

I. Introduction

This affidavit is submitted in support of a request for a search warrant to be issued and executed for email records belonging to Stephen PICKETT, the former Executive Vice President of External Relations at Southern California Edison (SCE). Your affiant believes there is probable cause to conduct this search warrant for the following reasons:

1) There is probable cause to believe that Michael PEEVEY, former President of the California Public Utilities Commission, utilized his position to influence SCE's commitment of millions of dollars to UCLA to fund a research program. There is also probable cause to believe Stephen PICKETT, former Executive President of External Relations at SCE, and PEEVEY knowingly engaged in and conspired to engage in prohibited *ex parte* communications regarding the closure of a nuclear facility, to the advantage of SCE and to the disadvantage of other interested parties. And there is probable cause to believe that evidence showing that PICKETT knowingly engaged in prohibited *ex parte* communications with PEEVEY will be found in personal emails belonging to Stephen PICKETT.

I. BACKGROUND

In **January 2012**, Southern California Edison (SCE) announced that a radiation leak likely occurred in a steam generator at the San Onofre Nuclear Generating Station (SONGS). As a result, SONGS' two reactor units, referred to as Unit 2 and Unit 3,

remained offline until it could be determined whether the issues with the steam generators could be corrected. SONGS has not been operational since.

On **November 1, 2012**, the CPUC initiated a proceeding through an Order Instituting Investigation (OI) in order to determine, among other issues, how to allocate the financial burden associated with the closure between rate payers and SCE shareholders.

On **June 7, 2013**, SCE announced the permanent shut-down of SONGS. SCE participated in settlement negotiations with rate payer advocacy groups including The Utility Reform Network (TURN) and the California Office of Ratepayer Advocates (ORA). SCE negotiated on behalf of SDG&E. Any agreed upon settlement was required to be submitted to CPUC for approval.

On **April 4, 2014**, the settling parties filed their proposed settlement with CPUC for approval. CPUC Commissioner Michel FLORIO and Administrative Law Judge (ALJ) Melanie DARLING were assigned oversight of the proceedings.

On **September 5, 2014**, Commissioner FLORIO and ALJ DARLING issued a ruling that the proposed settlement could not be accepted unless amended to include a \$25 million dollar commitment by SCE to the University of California over five years to address environmental offsets and greenhouse gas mitigation.

On **November 25, 2014**, after the settling parties agreed to the amendments, CPUC issued a decision approving the settlement.

## **II. LEGAL FRAMEWORK**

### **A. The California Public Utilities Commission**

The California Public Utilities Commission (CPUC) is a state regulatory agency. According to its website, CPUC regulates privately owned electric, natural gas, telecommunications, water, railroad, rail transit, and passenger transportation companies. The CPUC's mission is to serve the public interest by protecting consumers and ensuring the provision of safe, reliable utility service and infrastructure at reasonable rates, with a commitment to environmental enhancement and a healthy California economy. The CPUC is located in San Francisco, CA.

**B. Public Utilities Code Prohibitions on Ex Parte Communications**

*Ex parte* communications are defined in the Public Utilities Code as "any oral or written communication between a decision maker and a person with an interest in a matter before the commission concerning substantive, but not procedural issues, that does not occur in a public hearing, workshop, or other public proceeding, or on the official record of the proceeding on the matter." (Pub. Util. Code §1701.1(c)(4).) *Ex parte* communications are prohibited in adjudicatory cases. (Pub. Util. Code . § 1701.2.) The SONGS OII and associated settlement discussions are considered adjudicatory. Violation of this prohibition is a misdemeanor. (Public Util. Code § 2110.)

**C. Obstruction of Justice and Conspiracy to Obstruct Justice**

Under California law, "every judicial officer, court commissioner, or referee who commits any act that he or she knows perverts or obstructs justice, is guilty of a public offense punishable by imprisonment in a county jail for not more than one year." (Cal. Penal Code § 96.5). Penal Code section 182 (a) (5) makes it a felony to "commit any act injurious to the public health, to public morals, or to pervert or obstruct justice, or the due administration of the laws." Conspiracy to commit a misdemeanor offense can also

be charged as a felony, pursuant to Penal Code Section 182 (a) (1).

**III. FACTUAL EVIDENCE IN SUPPORT OF SEARCH WARRANT**

**A. PEEVEY and PICKETT Secretly Discussed Specific Terms of SONGS Settlement at Hotel Bristol in Poland.**

**1. PEEVEY and PICKETT *ex parte* conversation**

On **March 26, 2013**, while SONGS was still offline and CPUC OII proceedings were still ongoing, Stephen PICKETT, then the Executive Vice President of External Relations at SCE, met with Michael PEEVEY, then the President of the CPUC, at an unrelated fact finding mission in Warsaw, Poland. According to handwritten notes memorialized on stationery from Warsaw's Bristol Hotel, PICKETT and PEEVEY discussed settlement terms related to the closure of SONGS which included, among other things, decommissioning costs, investment recoveries, shutdown procedures, employee severance packages, rate payer costs, and a \$25 million dollar donation to an agreed upon greenhouse gas or environmental academic research fund. Your affiant obtained these notes in a home-office desk while executing a search warrant at PEEVEY's residence in La Canada, California, on January 27, 2015.

PICKETT reported back to his management at SCE within one week of his meeting with PEEVEY in Poland, and subsequently provided his management with his own version of the notes based on his recollection of the meeting with PEEVEY.

The notes seized from PEEVEY's residence address the following nine topics with additional information pertaining to each topic:

1. Pre-RSG Investment;
2. RSG and post – RSG investment;
3. Replacement Power Responsibility;
4. Net Insurance Recoveries;
5. MHI Recovery;

6. Decommissioning Costs;
7. O&M;
8. Environmental Offset;
9. Process.

PICKETT's typed notes, entitled "Elements of a SONGS Deal," contain the same nine topics, in almost the exact same order, as the Hotel Bristol notes. PICKETT's notes also contain one additional topic entitled "Other Notes." Copies of both notes are included as Attachment #A.

**2. SCE Filed a Notice of Ex Parte Communications Two Years Late, Only After the Poland Meeting was Publicly Disclosed.**

On **January 27, 2015** your affiant executed a search warrant at PEEVEY's residence in La Canada, California, at which time your affiant seized handwritten notes on Hotel Bristol stationery associated with the SONGS closure. Your affiant subsequently filed a search warrant return with the San Francisco County Superior Court and attached a copy of the property receipt. The Superior Court ordered the declaration sealed, but the property receipt remained publicly available.

On **January 30, 2015**, as a result of the search warrant return, the *San Diego Union-Tribune* reported the details of the search warrant and emphasized that law enforcement had seized "RSG notes on Hotel Bristol stationery."

On **February 9, 2015**, nine days after the *San Diego Union-Tribune* reported the seizure of the notes, and approximately two years after the actual meeting took place between PICKETT (SCE) and PEEVEY (CPUC), SCE belatedly disclosed that PICKETT met privately with PEEVEY in Poland on March 26, 2013, and that SCE failed to disclose the *ex parte* communication. According to the late-filed notice of *ex parte* communication, PEEVEY initiated the communication on a framework for a possible

resolution of the pending OII regarding the closure of SONGS. SCE also reported that PICKETT took notes during the meeting, and PEEVEY kept the notes. According to SCE, it did not originally report the *ex parte* communication based on an understanding that "the substantive communication on a framework for a possible resolution of the OII was made by Mr. PEEVEY to Mr. PICKETT, and not from Mr. PICKETT to Mr. PEEVEY." SCE further stated, "However, based on further information received from Mr. PICKETT last week, while Mr. PICKETT does not recall exactly what he communicated to Mr. PEEVEY, it now appears that he may have crossed into a substantive communication."

**3. April 4, 2013 email from PICKETT to SCE personnel.**

Your affiant reviewed an email, dated April 4, 2013, one week after the meeting in Poland and approximately 1-2 days after PICKETT developed his own version of the notes, from PICKETT to two specific individuals that work for Southern California Edison. In this email, PICKETT advises, "First, we should take my notes and turn it into a simple term sheet we could use to help guide the negotiations."

**4. LITZINGER and PICKETT did not file *ex parte* report.**

On March 20, 2015, your affiant interviewed Ron LITZINGER, President of SCE. According to LITZINGER, he told PICKETT after the Poland trip that PICKETT was not authorized to engage in negotiations with PEEVEY regarding the closure of SONGS. LITZINGER claimed that when PICKETT came back from the trip and notified him about the conversation, LITZINGER wondered why there was a "conversation taking place" while there was an active proceeding. Nevertheless, LITZINGER did not file, nor did he request that PICKETT file, a notice of *ex parte* communication.

Although SCE did not decide to close SONGS until May 2013, LITZINGER said he had to reinforce to PICKETT on April 11<sup>th</sup> that he (PICKETT) was not going to be part of the settlement team and that the settlement process was going to be very tightly controlled. LITZINGER said that he had to remind PICKETT of this fact, as PICKETT was "still talking like he was going to be part of the settlement team."

**5. PEEVEY pressured LITZINGER to make commitment to UCLA as part of SONGS settlement agreement.**

LITZINGER also stated that, in a conversation with PEEVEY on **May 2, 2014**, while SONGS settlement proceedings were ongoing, PEEVEY requested that SCE make a \$25 million commitment to UCLA as part of the settlement. According to LITZINGER, PEEVEY emphasized the fact that he had discussed the matter with PICKETT in Poland. LITZINGER told your affiant that PEEVEY waved hand written notes. LITZINGER stated that he told PEEVEY, "I was aware that conversation took place, but Steve [PICKETT] was not authorized to speak on behalf of the company."

**6. Edward RANDOLPH's description of the Poland meeting**

Your affiant also interviewed Edward RANDOLPH, the current Director of Energy at the CPUC. RANDOLPH advised your affiant that he was present during the discussion between PEEVEY and PICKETT in Poland. RANDOLPH told your affiant that there were "ground rules" as to what they could talk to SCE about on the trip. When asked if these ground rules would prohibit substantive discussion on "pending proceedings," RANDOLPH stated yes. RANDOLPH stated that there was an "offline discussion" between RANDOLPH, PEEVEY, and PICKETT at a bar at the Bristol Hotel in Poland. When asked what pending proceeding they discussed, RANDOLPH answered, "The prime point of the discussion was to discuss the timing of a



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determination of if Southern California Edison was going to permanently shut down the San Onofre Nuclear Generation Facility." RANDOLPH said that the discussion, in itself, did not relate to a proceeding in his opinion. According to RANDOLPH, the reason they were discussing the permanent shut down of SONGS is that it was already heading into a second summer in which the plant had been shut down, and SCE had not made a long term determination of what they would do if the plant closed permanently. RANDOLPH said CPUC wanted SCE to do a long term determination so it could do long term planning and not short term "patchwork" which would be more expensive for the rate payers.

When RANDOLPH was asked if there was a more specific conversation about a settlement agreement, RANDOLPH answered, "Sort of, after we finished the discussion about making a determination about the plant closing, which was probably about a ten minute conversation, the conversation did drift into a conversation on what the financials on closing a plant would look like." When asked who led the conversation, RANDOLPH stated that the first part of the conversation, regarding a determination on if the plant was going to be permanently closed, was led by PEEVEY. According to RANDOLPH, the second part of the conversation, regarding the financials of a plant closure, was led by PICKETT. RANDOLPH's recollection of events contradicts PICKETT's assertion to his management that the discussion with PEEVEY was just one-way. RANDOLPH told your affiant that, in his opinion, the discussion in Poland was an *ex parte* communication, and SCE should have reported it.

**7. Effects of Poland Conversation on Other Interested Parties**

As a result of a recent public disclosure of the PEEVEY notes your affiant seized at PEEVEY's residence, both ratepayer settlement parties (ORA and TURN) that negotiated with SCE, without the advantage of being aware of the PICKETT meeting with PEEVEY in Poland, issued the following separate statements on April 17, 2015:

ORA STATEMENT:

*"ORA has reviewed the Hotel Bristol Notes and has made a comparative analysis with the final SONGS settlement agreement. The Hotel Bristol Notes appear to set a framework for settlement that is similar to the elements of the settlement that was ultimately accepted by the CPUC. The Hotel Bristol Notes appear to demonstrate the degree to which Peevey and Pickett collaborated to orchestrate a settlement of the SONGS outage investigation. Based on ORA's analysis of the Hotel Bristol Notes and the final settlement agreement, customers still saved at least \$780 million more than the "deal" that Peevey and Pickett had described. However, ORA cannot honestly say that it got the best deal for ratepayers. Edison was likely able to use its knowledge of Peevey's position to steer the settlement in the direction it wanted. While ORA believes it worked to strike a good deal for ratepayers based on legal precedents, we are troubled by the possibility that we might have been able to strike a better deal."*

TURN STATEMENT:

*"The Warsaw meeting was a flagrant violation of CPUC rules governing ex parte contacts," said TURN staff attorney Matt Freedman. "The CPUC has properly ordered SCE to turn over all documents relating to communications with CPUC decision makers about the possible settlement of SONGS. Based on the responses to this ruling, TURN may seek a reopening of the case. At a minimum, TURN will urge the CPUC to assess the maximum sanction on SCE for its ex parte violations and apply any financial penalties toward reducing customer rates."*

The Utilities and Commerce Committee of the California Assembly also formally requested that John GEESMAN, Attorney for Alliance for Nuclear Responsibility, analyze the PEEVEY notes and make an assessment of the differences between the terms outlined in the notes and the actual settlement proposal. According to GEESMAN, *"Prompt disclosure of ex parte communications like that between Mr. PICKETT and Mr. PEEVEY is an essential prerequisite for a level playing field in a regulatory proceeding."*

In regards to the advantage SCE had going into the negotiations as a result of the PEEVEY and PICKETT meeting and SCE's failure to disclose the meeting as required by law, GEESMAN stated, *"It appears to me that SCE managed to improve its position by at least \$919 million, and arguable \$1.522 billion, from what CPUC President PEEVEY had identified at the Hotel Bristol as a framework for a possible resolution."*

**B. PEEVEY's Request for UCLA Research Funds**

The University of California, Los Angeles (UCLA), has disclosed that while the SONGS closure settlement negotiations were still ongoing, and prior to a proposal being submitted to CPUC, PEEVEY requested that Stephanie PINCETL, the Director of UCLA's California Center for Sustainable Communities and Professor-in-Residence at UCLA's Institute of the Environment and Sustainability, submit a proposal for exactly \$25 million dollars that would be available as a result of the closure of SONGS.

On **April 4, 2014**, the settlement parties filed their proposed settlement to CPUC for approval. CPUC Commissioner Michel FLORIO and ALJ Melanie DARLING oversaw the settlement proceedings. The initial settlement proposal did not include \$25 million dollars towards greenhouse gas research.

As noted, LITZINGER advised your affiant that PEEVEY told him on **May 2, 2014**, right after the settlement proposal was submitted to CPUC, that SCE needed to make a \$25 million dollar commitment to UCLA. PEEVEY referenced the fact that he had discussed the matter with PICKETT in Poland and waved hand written notes. According to LITZINGER, Commissioner FLORIO, the CPUC commissioner presiding over the matter, was also present during this conversation. LITZINGER advised your

affiant that he refused to engage in conversation with PEEVEY on this matter. According to a LITZINGER declaration, after this meeting, he called FLORIO to advise that SCE was considering filing an *ex parte* notice. LITZINGER claimed that Commissioner FLORIO later told him he had discussed the matter with PEEVEY's chief of staff, and they had concluded there was no reason to disclose that the two sides had met. According to LITZINGER, over the next several weeks, PEEVEY attempted multiple times to pressure SCE to make this financial commitment directly to UCLA. Ultimately, PEEVEY told LITZINGER that he was going to bypass him and go straight to his boss Ted CRAVER, President and Chief Executive Officer of Southern California Edison (SCE) International.

Your affiant interviewed Ted CRAVER who confirmed that PEEVEY "went at him hard," telling him that they (SCE) did not get the importance of combatting climate change and this was an opportunity to do something, and if they were smart, they would figure out how to "wrap this in a cloak" and it would be good for public relations. CRAVER told PEEVEY that he could not talk to PEEVEY about this matter. SCE never agreed to formally commit money to research.

On **May 19, 2014**, in response to an email from Stephanie PINCETL (UCLA) asking about the status of project funding, PEEVEY stated that SCE had advised him that her request was "a lot of money" and would have to be taken to SCE's board for approval. PEEVEY added in his response to PINCETL, "I am, of course, exploring another option."

In addition to PEEVEY's in-person lobbying efforts, PEEVEY appeared to be organizing a letter-writing campaign to support a UCLA research program. Your affiant

has reviewed documents drafted as letters from Los Angeles-area elected officials to the CPUC, dated in early June 2014. The letters urge, as part of the pending SONGS settlement, that CPUC fund a proposed UCLA research program (California Center for Sustainable Communities at UCLA) involving the creation of a "sophisticated energy data analysis" which would result in reduction of GHG emissions. Similar letters were also delivered to SCE executives during the same time period.

On **September 5, 2014**, Commissioner FLORIO and ALJ DARLING issued a ruling that the proposed SONGS closure settlement could not be supported without two amendments, including a \$25 million dollar commitment to the University of California over five years.

LITZINGER told your affiant that SCE was not surprised, based on what had happened since May 2014, and that the commitment to fund research was a prerequisite to approval of the settlement. LITZINGER told your affiant that SCE internally debated the amendments and met with the Board of Directors to discuss the new terms. LITZINGER said SCE agreed to the terms because "our investors wanted the uncertainty of SONGS behind them." According to LITZINGER, "The benefit of eliminating the uncertainty associated with SONGS far outweighed agreeing to the \$5 million a year."

On October 2, 2014 Stephanie PINCETL (UCLA) emailed PEEVEY to request a language modification that would enhance UCLA's ability to get the funding. As a result, PEEVEY emailed FLORIO that same day asking for the proposed language to be modified in order to accommodate UCLA. FLORIO emailed PEEVEY back, stating that his Chief of Staff spoke to ALJ Darling and had a "fairly difficult conversation" with her.

FLORIO further stated in the email, "*Melanie (DARLING) seems to be in a particularly sour mood! Bottom line, she said she used the language she got from Lester in her ordering paragraph. I think that is the same as what you handed me today. We will try to clean this up before the PD mails tomorrow, or worst case in the final decision. I don't sense any disagreement about the substance, just another ALJ resisting interference by those pesky commissioners. I am confident we will get there.*"

On November 25, 2014, the SONGS settlement was formally approved, including the \$25 million dollar research grant to the University of California.

**C. CPUC Business conducted on personal emails:**

On February 20, 2015, your affiant served a search warrant on PEEVEY's personal email account. I have observed numerous CPUC business related emails on PEEVEY's personal email account. Although PICKETT departed SCE on November 30, 2013, both continued to correspond with each other. In one email, dated February 4, 2015, approximately one month after PEEVEY departed from the CPUC and a week after a search warrant was served at PEEVEY's house, PEEVEY sent an email to PICKETT's personal outlook email account suggesting that they meet for a glass of wine. PICKETT responded by telling PEEVEY that he was sorry he hadn't responded to his earlier voice mails and would be willing to meet with him. However, PICKETT further advised that he could not engage in "substantive discussion" on the matters currently under investigation.

**IV. SUMMARY**

Based on the above evidence and facts, there is probable cause to believe that PICKETT knowingly engaged and conspired to engage in a reportable *ex parte*

communication with PEEVEY in POLAND to the overall advantage of SCE in the subsequent settlement process pertaining to the closure of SONGS. It is also evident that PEEVEY utilized his position to influence SCE's commitment of millions of dollars to UCLA to fund a research program. The facts indicate that PEEVEY conspired to obstruct justice by illegally engaging in *ex parte* communications, concealed *ex parte* communications, and inappropriately interfered with the settlement process on behalf of California Center for Sustainable Communities at UCLA. PEEVEY executed this plan through back channel communications and exertion of pressure, in violation of CPUC *ex parte* rules, and in obstruction of the due administration of laws.

There is probable cause to believe that further evidence showing PICKETT knowingly engaged in a reportable *ex parte* communication with PEEVEY, will be found, if not deleted, in PICKETT's personal outlook email account which will be listed and sealed under Attachment B.

Your affiant requests search warrant authorization from the Superior Court of Los Angeles County. Because SCE is headquartered in Rosemead, CA, and PICKETT resides in Los Angeles County, there is probable cause to believe that at least a portion of the suspected criminal activity occurred in the County of Los Angeles.

Your affiant believes it is reasonable to request any and all records pertaining to the events surrounding the settlement of the SONGS closure, especially communications regarding the SONGS settlement from January 2012 to the present. It is reasonable to limit the search from January 2012 to the present because that is when SONGS was no longer operational. Your affiant is also requesting all emails on PICKETT's email account, as your Affiant was advised by Microsoft Corporations, the

provide of PICKETT's email account, they do not have the ability to filter specific information from email accounts Microsoft Corporations manages.

**SEAL AFFIDAVIT AND WARRANT:**

It is further requested by your affiant, due to the high profile nature of the investigation and the suspects, that a sealing order be granted in sections within the search warrant that specifically cite PICKETT's personal email address.

Your affiant believes there is sufficient probable cause that the property described herein may be found at the locations set forth herein and that it is lawfully seizable pursuant to Penal Code Section 1524.

**LOCATION #1:**

**Stephen PICKETT's personal Email Address:  
See Attachment "B"**

**FOR THE FOLLOWING PROPERTY:**

**Any and all email records and correspondence occurring between January 2012 through current on any, and all, email account(s) belonging to Stephen PICKETT, to specifically include the email account listed in Attachment "B".**

Upon receipt, the emails will be reviewed California Attorney General personnel for the following items: Emails and correspondence involving the San Onofre Nuclear Generating Station (SONGS) closure settlement agreement, the 2013 meeting between Stephen PICKETT and Michael PEEVEY in Poland, communication(s) pertaining to the determination of when and why SONGS would be closed, commitment of monies for research as a result of the closure of SONGS, and communication(s) pertaining to the settlement of the SONGS Order Instituting Investigation (OII). These records are to include:

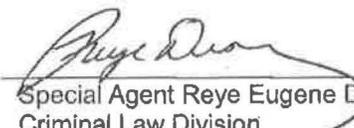
1. Internal correspondence, emails, text messages, logs, support letters, letters, documentation, as well as correspondence, emails, text messages, logs, support letters, letters, documentation between SCE officials and CPUC officials, decision makers, Michel FLORIO, Michael PEEVEY, Edward RANDOLPH, and CPUC ALJs as they relate to the UCLA Luskin Institute at UCLA, University of California, UCLA's Institute of the Environment and Sustainability, California Center for Sustainable Communities at UCLA, the SONGS closure, the SONGS settlement, the SONGS OII investigation, and

commitment of research funds involving the CPUC, and any and all lobbying efforts on any of these topics.

2. SCE communications between SCE executive staff, including but not limited to Ron LITZINGER, Ted CRAVER, and Stephen PICKETT, regarding the meeting between PICKETT and PEEVEY in Poland, the SONGS settlement, the SONGS OII investigation, and monies committed to a research fund as a result of the SONGS closure.

I declare under penalty of perjury, under the laws of the State of California, that foregoing facts are true and correct to the best of my knowledge and belief.

Reviewed by Maggy Krell  
Deputy Attorney General  
California Department of Justice

  
Special Agent Reye Eugene Diaz  
Criminal Law Division  
California Department of Justice



FILED  
9-15-16  
04:59 PM



1. Pre-RSG investment: recover w/ debt-level return through 2022.
2. RSG and post-RSG investment: disallow "retroactively out of rate base" effective 2/1/2012 ~~effective~~
3. Replacement power responsibility: customer
- A. NEIL/insurance recoveries: to customers
5. MHI recovery: 1<sup>st</sup> to SCE to the extent of the disallowance  
2<sup>d</sup> to customers
6. Decommissioning costs: remain in rates through time of decommissioning -- periodic redetermination in CPUC proceedings as before
7. O&M:
  - a) Already approved GRC amounts through shutdown + 6 months
  - b) O&M to determine shutdown O&M through end of 2017 (i.e., not in GRC)
  - c) shutdown O&M 2018 and beyond determined in GRC's
  - d) Shutdown O&M to include reasonable severance for SONGS employees - A pool of \$50 million

Next page



HBB  
HISTAL RESEARCH CONSULTING

WIPRO

8. Environmental offset: SCE to donate \$50 million<sup>10</sup> per year 2014-2022 to {an agreed upon GHG, climate, or environmental academic research fund, institution, etc.}

9. Process
- a) settlement agreement approved in OII
  - b) balance of OII closed except for shutdown O&M phase
  - c) new OII phase for shutdown O&M per 7(b) and 7(d) above
  - d) 208 GRC for shutdown O&M 2018 and beyond
  - e) Usual CPUC proceedings for review of decommissioning costs

MIH Review

- 1 - First \$200 million — 50% contract — 50% 50¢
- 2 - Next \$200 million — 70% 50¢
- 3 - Any above \$200 million — 70% contract — 50% to 50¢ — 70% to contract — 39 — 50¢

+48 22 9511 000 telephone  
+48 22 623 25 77 mobile fax

KRAKOWSKIE PRZEDMIOTOWE S.A.  
00-315 WARSZAWA, POLAND

Elements of a SONGS Deal

1. Recover pre-RSG investment on a "SONGS 1" basis through 2022 (i.e., with a debt level return).
2. Disallow RSG investment entirely ("out of rate base retroactively").

Note: not clear whether the post-leak investment that is not directly related to the RSG's is included (e.g., the new heads, HP turbine, etc.)

3. Customers responsible for all replacement power costs (no disallowance).
4. Any NEIL proceeds go to customers.
5. MHI recovery: to SCE to the extent of any disallowance, then to customers, with some as yet undefined incentive mechanism to encourage SCE to go after MHI to the maximum extent possible for as long as it takes (thinking about the energy crisis settlement as a model).
6. O&M:
  - a. Already approved GRC amounts to shutdown plus some reasonable period beyond (+/- 6 months)
  - b. Ramp down to shutdown level of O&M thereafter.
  - c. Use a subsequent phase of the OII or a separate proceeding to determine the level of ongoing shutdown O&M.
  - d. Shutdown O&M to include "reasonable but generous" severance for affected SONGS employees.
7. Environmental offset: SCE to pay \$5-10 million per year for the remaining life of SONGS (i.e. through 2022) to an agreed upon GHG, climate, or environmental research fund or academic institution. Structured as a charitable donation.
8. Decommissioning to continue to be collected in rates as before through 2022, with reviews as before in triennial CPUC proceedings.

*Handwritten mark*

9. Process:

- a. Settlement agreement approved in OII.
- b. Balance of OII closed (except possibly a subsequent phase to determine level of ongoing shutdown O&M).

10. Other notes:

- a. Players in deal: Geesman (A4NR), FOE, TURN.
- b. Protecting labor brings TURN along (Carl Wood chair of TURN board).
- c. Privately stated complaints of SDG&E.
- d. Ron Olson involvement per energy crisis.

# San Onofre plan details under scrutiny

## Investigators have focused on two last-minute additions to settlement



[\(/staff/jeff-mcdonald/\)](#)

By Jeff McDonald [\(/staff/jeff-mcdonald/\)](#) | 7:50 a.m. March 14, 2015



The criminal investigation into the California Public Utilities Commission is focusing on two key revisions to the plan for dividing up \$4.7 billion in costs for premature shutdown of the failed San Onofre nuclear power plant.

The changes boosted the amount of money that would go to customers if recovered from insurers or in litigation and called for the plant's owners to donate \$25 million to the University of California for research on greenhouse gases.

According to two witnesses questioned in the case, investigators are asking how those provisions came to be added to the final settlement.

Based on inquiries from investigators, it appears that those aspects of the plan — portrayed as last-minute additions — were jotted down in notes taken at a secret meeting at a Warsaw hotel long before any public process began.

That would raise the question of whether the original settlement — and subsequent revisions — were orchestrated to follow the framework set in Poland by Michael Peevey, then president of the public commission, and a Southern California Edison executive.

"The questions made me wonder how much of the settlement terms were contrived by Peevey," said one witness who has been interviewed by investigators. "If it was conceived in Warsaw, that means the whole investigative proceeding was a sham."

The final settlement deal approved in November assigned to ratepayers 70 percent of closure costs, with a lesser share for power companies. The deal had the effect of cutting short a probe by the commission of who was at fault.

The U.S. Department of Justice and the California Attorney General's office are reviewing allegations of backchannel communications and favoritism that may have helped utility executives at the expense of the public during the San Onofre response and other matters.

Shortly after the Warsaw meeting, settlement plans were negotiated in private by utility lawyers and two consumer groups over 10 months. San Onofre was also discussed at a key meeting among state officials at the exclusive California Club in Los Angeles.

The settlement was announced publicly in March 2014 and was supposed to get an up-or-down vote from the commission, strictly as proposed.

Six months later, Commissioner Michel Florio and two administrative law judges announced the two amendments, which they said would make the proposal better serve the public interest.

The revised deal was approved in November at one of Peevey's last meetings.

Peevey resigned from the commission at the end of 2014 after a spate of emails released under the state open-records law showed that he and other regulators communicated and met privately with utility executives routinely, and accommodated their behind-the-scenes requests about commission matters.

Two weeks before regulators approved the San Onofre deal in November with almost no public debate, state investigators executed a search warrant at the commission's San Francisco headquarters.

Agents searched (<http://www.utsandiego.com/news/2015/jan/30/peevey-house-raid-search-warrant-cpuc/>) Peevey's Los Angeles area home in January, seizing bank records, computers, day planners and "RSG notes on Hotel Bristol stationary."

The abbreviation stands for replacement steam generators, the flawed project that caused the premature shutdown of San Onofre in 2012, and the Hotel Bristol is where the Warsaw meeting took place.

The handwritten notes were the first evidence to connect the broken San Diego County power plant to the corruption investigation, which had been limited to commission dealings with Pacific Gas & Electric in Northern California.

Days after U-T San Diego reported the connection, Southern California Edison formally disclosed — almost two years late — that then-executive Stephen Pickett had participated in the private meeting with Peevey in Poland in March 2013.

It remains to be seen how closely the publicly approved settlement deal hews to the notes taken in secret half a world away.

### **Investigation stopped**

Even before the meeting in Warsaw was revealed, certain advocacy groups felt that the public proceedings to investigate the plant failure and assign costs became a done deal too quickly and too easily.

The way Edison described the meeting in Poland, when it filed its [belated disclosure notice](http://www.utsandiego.com/news/2015/feb/09/cpuc-warsaw-hotel-bristol-peevey-edison/) (<http://www.utsandiego.com/news/2015/feb/09/cpuc-warsaw-hotel-bristol-peevey-edison/>), it was clear that all parties would not be on board.

"Mr. Peevey initiated a communication on a framework for a possible resolution of the Order Instituting Investigation that he would consider acceptable but would nonetheless require agreement among at least some of the parties to the OII," the company [wrote](http://media.utsandiego.com/news/documents/2015/02/09/Ex-ParteNotice020915.pdf) (<http://media.utsandiego.com/news/documents/2015/02/09/Ex-ParteNotice020915.pdf>).

Efforts to enlist "at least some of the parties" began almost immediately.

Not long after the Warsaw meeting between Peevey and Pickett, Edison lawyer Henry Weissmann contacted The Utility Reform Network, a San Francisco advocacy group, to talk about a deal.

By June 2013, as Edison announced it would no longer seek to restart San Onofre and instead shut the plant for good, utility and TURN lawyers were knee-deep in settlement negotiations.

Meanwhile, Peevey and other state officials convened in July at the [California Club](https://www.google.com/search?q=california+club&source=inms&tbn=isch&sa=X&ei=qUkEVZLvKZHWOASEgoKgBQ&ved=0CAgQ_AUoAg&biw=1152&bih=737) ([https://www.google.com/search?q=california+club&source=inms&tbn=isch&sa=X&ei=qUkEVZLvKZHWOASEgoKgBQ&ved=0CAgQ\\_AUoAg&biw=1152&bih=737](https://www.google.com/search?q=california+club&source=inms&tbn=isch&sa=X&ei=qUkEVZLvKZHWOASEgoKgBQ&ved=0CAgQ_AUoAg&biw=1152&bih=737)), an exclusive meeting place in downtown Los Angeles where the gourmet food is reserved for members, "privilege holders" and their guests.

Records show the officials gathered in a private dining room on the third floor of the historic building for a three-hour post-San Onofre "strategy dinner." Peevey's successor, Michael Picker, was there too.

The state Office of Ratepayer Advocates, which reports to Gov. Jerry Brown and not utilities commissioners, joined the settlement discussions later in 2013, as did the Friends of the Earth environmental group.

The San Onofre case had 10 intervenor groups, or formally recognized third parties to the commission's decisions on the matter.

Eight of the 10 stakeholders — mostly modest nonprofit organizations like Citizens Oversight, Women's Energy Matters and the Alliance for Nuclear Responsibility — were not part of the settlement.

"None of us were informed of those negotiations," said Jean Merrigan of Women's Energy Matters. "We were invited to attend the so-called settlement conference on March 27, 2014, but at that meeting the proposed settlement agreement was announced as a done deal."

The settlement halted an investigation into the plant's failure, which might have highlighted some uncomfortable issues for the company and the commission.

Edison's own experts had warned in 2004 and 2005 that designs for the \$680 million steam generator replacement project could fail. The utilities commission allowed the upgrade to proceed anyway, and without a federal license amendment.

Also, the project was never formally placed into the customer rate base. Peevey nonetheless allowed Edison to start recouping millions of dollars from ratepayers without a required finding that the project was useful and the cost reasonable.

"They knew if they went through an actual full investigation, all this would come out and they would not get any of the costs charged to consumers for the steam generators," said Ray Lutz of Citizens Oversight, the San Diego nonprofit suing to overturn the settlement. "The commission went along with the deal, apparently inked at the Warsaw, Poland, meeting."

### **Greenhouse gas research**

When TURN and Edison announced the San Onofre settlement a year ago this month, it was portrayed as a money-saver for ratepayers.

"Agreement Over San Onofre Would Save Customers \$1.4 Billion," TURN said in its news release.

As it turned out, ratepayers would pay \$3.3 billion, and utility companies would pay the remainder of the estimated \$4.7 billion in premature shutdown costs.

The plan was to fly or sink as proposed — no changes, the negotiators said last spring.

In opposition briefs filed in May, however, the Alliance for Nuclear Responsibility complained that possible insurance payments and legal settlements arising from the failed steam generator replacement project were too favorable to the utilities.

Alliance attorney John Geesman also noted there was no money set aside to pay for studying the impact of burning so much extra fossil fuels to make up for the lost San Onofre output.

"The proposed settlement ignores core CPUC priorities," Geesman wrote.

Two months later, Peevey called Geesman out of the blue, according to a disclosure filed by the Alliance for Nuclear Responsibility lawyer in July. The two men talked about setting up a research group to examine impacts of greenhouse gas on the environment.

Peevey "did not mention any UC connection in his call to me," Geesman told U-T San Diego. "Let me add that he did not mention any dollar amount or how he intended to address CO2 concerns."

In September, when Florio and the administrative judges brought forth their proposed changes to the settlement plan released in March, the amendments included five years of \$5 million donations to the University of California for a greenhouse-gas research effort.

The terms suggested the research be done at the University of California Energy Institute, based at Berkeley, which is Peevey's alma mater.

They also changed terms of any recovery from Mitsubishi Heavy Industries, the steam-generators manufacturer Edison is now suing, so ratepayers and stockholders would share the funds equally.

Peevey stepped down at the end of 2014, as the investigations heated up. The same interest groups whose easy access to Peevey has raised scrutiny threw him a \$250-a-plate farewell party (<http://www.utsandiego.com/news/2015/jan/30/peevey-gala-invitations-amid-probe/>) last month at San Francisco's Julia Morgan ballroom.

Proceeds went to the University of California, Berkeley (<http://www.utsandiego.com/news/2015/feb/12/peevey-party-senator-berkeley/>).

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# Aguirre pushing for Brown's emails

## CPUC is withholding 65 from the Governor's Office on San Onofre



(/staff/jeff-mcdonald/)

By Jeff McDonald (/staff/jeff-mcdonald/) | 4:53 p.m. Nov. 13, 2015



The California Public Utilities Commission is withholding more than 60 records showing Gov. Jerry Brown's office was in contact with regulators overseeing the investigation into what went wrong — and who should pay — for the failed San Onofre nuclear plant.

The documents are front and center in a public-records dispute unfolding in a San Francisco courtroom, where a Superior Court judge last week accused commission lawyers of stonewalling the release of requested records.

San Diego public-interest attorney Maria Severson has been seeking the records as part of an ongoing effort to overturn a commission action assigning 70 percent of the \$4.7 billion cost of San Onofre failure to utility customers, as opposed to owner Southern California Edison.

The judge ordered the commission and Severson to work out a mutually acceptable release of records, which Severson attempted to do with a letter on Thursday.

"It appears from the record that CPUC and officials from the Governor's Office, including the governor himself, were involved in the discussions at the CPUC regarding the San Onofre issue," Severson wrote. "The interest of public disclosure as to who and what was behind the decision to make utility customers pay over \$3.3 billion for the errors of Edison is of vital importance."

Brown's office did not respond Friday to a request for comment. Commission spokeswoman Terrie Prosper said officials are still reviewing the matter and will respond to the plaintiffs in due course.

Severson sued the commission in March on behalf of her law partner, former San Diego City Attorney Michael Aguirre. The complaint alleges that regulators improperly hired criminal-defense lawyers with ratepayer funds and failed to respond to Aguirre's requests under the California Public Records Act.

The communications between Brown and regulators are important because the commission is a quasi-judicial body that is supposed to make rate-setting and other decisions independently and in public.

San Onofre closed amid a radiation leak in January 2012 after Edison installed faulty steam generators. The commission approved the settlement agreement assigning costs in November 2014.

Lawyers for the commission acknowledged they collected 65 communications to or from the Governor's Office related to San Onofre in response to Aguirre's records request, and they opted to withhold the documents based on a legal privilege called deliberative process.

The commission also withheld 63 San Onofre-related communications to or from Michael Picker, the former Brown aide and political consultant who took over as commission president in January.

"The public's interest in disclosure of this information is outweighed by the public's interest in allowing such decisions to be made uninhibited by public scrutiny," commission attorney Katherine Alberts wrote to Aguirre in denying his request in August.

At a hearing last week in San Francisco Superior Court, commission lawyer Jonathan Koltz said the regulators had already released all of the documents it could without violating attorney-client privilege or the deliberative-process exemption.

Judge Ernest Goldsmith sounded skeptical, telling Koltz that his assertion "just doesn't sound right" and saying the commission appeared to be "stonewalling" in releasing records that are public information.

"That's the optics of where we are," the judge said. "There's something the PUC doesn't want out there."

Koltz also argued that Goldsmith lacked jurisdiction to hear the case under the state utilities code, which says disputes over commission decisions must be heard at the appellate or supreme court.

Aguirre argued that provision applies to formal commission proceedings, not routine business such as complying with records requests.

Prosper on Friday reiterated Koltz's position that the San Francisco Superior Court has no authority over the commission.

"Judge Goldsmith did not 'direct' us to meet and confer because he lacks jurisdiction to do so," she said. "We did express in court our willingness to discuss the public records requests further."

The commission has been under criminal investigation for its relationships with utility executives it is supposed to oversee impartially.

Last month Brown vetoed six bills aimed at reforming the commission, saying the well-intentioned legislative package ended up with contradictory and unworkable laws.

Earlier this month, The San Diego Union-Tribune reported that the governor has ties to energy companies; his sister is on the Sempra Energy board and several of his top aides worked for Pacific Gas & Electric.

One document released earlier this year by Edison under an order from the commission showed Brown has had his own interactions with energy executives.

According to Ted Craver, CEO of Edison International, Brown took his 10-minute call in 2013 the day before the company announced plans to decommission San Onofre. At the time, the governor was in Rancho Mirage to meet with President Obama.

"I indicated that I imagined his office would get media calls tomorrow about this and would be looking for his reaction," Craver wrote to his board of directors. "I indicated that if he was so moved, it would help if he could indicate we had talked and that he thought the company was acting responsibly and focused on the right things. He indicated a willingness to do that."

The next hearing on whether more commission and Governor's Office emails will be ordered released will be Dec. 9.

jeff.mcdonald@sduniontribune.com

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DECLARATION OF STEPHEN PICKETT



I, Stephen Pickett, do hereby declare as follows:

1. I retired from Southern California Edison ("SCE") on November 30, 2013, after working thirty-five years for the company. I held many positions at SCE over time, including General Counsel of SCE. As of March 2013 and until my retirement, I was Executive Vice President of External Relations.

2. In March 2013, I traveled to Poland as part of a study tour organized by the California Foundation on the Environment and Economy ("CFEE"). Approximately twenty to thirty individuals took part in this CFEE study tour. Michael Peevey, who at the time was the President of the California Public Utilities Commission ("CPUC" or the "Commission"), was one of those individuals. No other SCE employees traveled to Poland with the CFEE group.

3. Prior to my departure to Poland, President Peevey asked SCE for a briefing about the status of its efforts to restart SONGS, and SCE management assigned me the task of updating President Peevey on this issue at some point during the Poland trip. I did not expect to discuss settlement of the SONGS Order Instituting Investigation ("OII"), or a resolution of any of the issues in the OII, with President Peevey in Poland. I did not have any settlement authority from SCE, and I did not reach or attempt to reach any agreement, tentative or otherwise, with President Peevey about the SONGS OII.

4. On March 26, 2013, I met with President Peevey for approximately half an hour in the Bristol Hotel in Warsaw, Poland, in order to give President Peevey the update about SCE's efforts to restart SONGS. My recollection is that Ed Randolph, Director of the Energy Division at the CPUC, was also present for some or all of the meeting.

5. I provided President Peevey with an update about the status of SCE's efforts to restart SONGS, including SCE's efforts with the Nuclear Regulatory Commission ("NRC") to get approval to restart SONGS Unit 2. I told President Peevey that it appeared that the NRC was going down the path of requiring a license amendment in order to restart SONGS. I indicated that if the NRC required a license amendment that could result in a significant delay before SCE could restart Unit 2.

6. President Peevey expressed concern that such a delay in the restart of SONGS would potentially have a negative impact on the power grid and SCE's ability to serve its customers in the summer of 2013. He noted that the CPUC and possibly other government agencies would have to continue the efforts they had undertaken in the summer of 2012 to help avoid this possibility. I recall President Peevey noting that at some point SCE would have to consider the possibility of permanently shutting down SONGS. I agreed that was a possibility, but noted that SCE was still continuing to make every effort possible to restart SONGS.

7. President Peevey pursued his line of thought about a possible permanent shut down of SONGS and began to consider the many ramifications if SONGS were to be shut down, noting that it would be a long and difficult proceeding before the Commission. He stated his views on how to resolve some of these issues, including the various areas of costs that would

have to be addressed, referring at times to how the CPUC had dealt with these issues in the past, including in the resolution of the SONGS 1 shutdown, the PG&E bankruptcy proceeding, and the SCE energy crisis settlement.

8. President Peevey's comments on these issues were stated in broad terms. I recall that he made a statement to the effect that the cost of the replacement steam generators ("RSGs") should be written off, and the remaining investment recovered in a manner similar to SONGS 1. I was familiar with the SONGS 1 settlement, and I understood that comment to mean that SCE would recover the non-RSG investment with a rate of return on the entire undepreciated balance equal to its authorized cost of debt. President Peevey did not address this issue more specifically. I do not recall him mentioning, for example, certain other specific categories of investment of which I was aware, such as the recovery of construction work in progress and nuclear fuel.

9. With regard to operations and maintenance ("O&M") costs, I recall President Peevey stating that employees should be treated fairly and receive reasonable severance payments. He stated that O&M expenses had already been approved in SCE's general rate cases. I also recall him stating that the amounts authorized in the general rate case for SONGS O&M could continue through a future shut-down date plus another period of time of about 6 months. I also recall President Peevey saying that he wanted to address the greenhouse gas impacts of the shutdown of SONGS. He mentioned a charitable contribution for greenhouse gas research as a possible way to address this issue.

10. I did not understand President Peevey's comments to be a directive on how a settlement should be structured, nor did they appear to me to reflect a prejudgment as to the outcome of the OII. Instead, I understood them as President Peevey's general thoughts on how, based on prior commission decisions, he thought the cost responsibility for SONGS might ultimately be sorted out.

11. At some point well into the meeting, I obtained a pad of paper from the hotel and began taking notes in an effort to organize President Peevey's comments for my own benefit. As noted, President Peevey's remarks were quite general, and my notes reflect my interpretation of President Peevey's statements. My notes are not a verbatim record of President Peevey's comments, do not reflect the order of the conversation, and were not a term sheet. I do not know if President Peevey agreed with my characterization of his comments. At some point near the end of the meeting, President Peevey asked me to give him the notes, and he wrote on the notes. I did not see what he wrote. President Peevey kept the notes after the meeting.

12. I did not engage in settlement negotiations with President Peevey. President Peevey made it clear, however, that in the event of a permanent shutdown of SONGS he thought it would be best for SCE to engage in settlement negotiations with appropriate consumer groups and other interested parties, and bring a settlement proposal to the CPUC for consideration. President Peevey specifically mentioned John Geesman, who represents the Alliance for Nuclear Responsibility, as one possible party. I did not understand President Peevey's comments on cost responsibility, as outlined above, to constitute a direction to SCE to settle on those terms.

13. The substance of the communication about the resolution of the issues involved if SONGS were to shutdown was, in the main, from President Peevey to me. To the best of my recollection, I did not react or respond to President Peevey's comments, with one exception: at one point, President Peevey stated that there should be a disallowance of both replacement power costs and replacement steam generator investment costs. I do not recall exactly what I said in response, but I believe I very briefly expressed disagreement. I did not consider my reaction to have risen to the level of a substantive communication to President Peevey.

14. After this meeting with President Peevey, I went to dinner with the CFEE group. There was no discussion about SONGS at that dinner.

15. On March 27, 2013, I attended another dinner with the CFEE group. President Peevey was also in attendance. I believe President Peevey may have mentioned SONGS during the dinner, but I do not recall anything of substance relating to the SONGS OII being discussed. To the best of my recollection, settlement of the OII was not mentioned.

16. When I returned to the United States, I briefed senior executives on April 1, 2013, about what President Peevey had said to me about SONGS in Poland. These executives were SCE President Ron Litzinger, Edison International CEO Ted Craver, Edison International CFO Jim Scilacci, and Edison International General Counsel Robert Adler. At some point during the meeting, the issue was raised of whether my meeting with President Peevey constituted a reportable ex parte communication. I did not believe it was reportable, based on my general understanding of the ex parte rules. After the April 1 meeting I consulted with SCE's counsel on the ex parte reporting issue, and no ex parte notice was filed at that time.

17. After my meeting with the executives, I summarized the points raised by President Peevey in a document that I titled "Elements of a SONGS Deal," which I sent to the executives whom I had briefed that day. The title of the document was not meant to convey that I had entered into any "deal" with President Peevey. Rather, the document reflected President Peevey's comments about the framework of a possible resolution of SONGS issues with parties to the OII. The document was intended to be an internal outline that could serve as a basis for discussing a potential settlement in a deal with consumer and other groups should SCE's efforts to restart SONGS prove unsuccessful. I also asked several SCE employees to take these ideas and work on them further.

18. After the trip to Poland, I did not speak with President Peevey about a SONGS settlement, nor did I speak with any other CPUC decision maker regarding a SONGS settlement, prior to its being publicly announced. I have seen and spoken to President Peevey a number of times at social and other occasions since the Poland trip. However, the only other communication I had with President Peevey or any other CPUC decision maker about settlement of the OII was at a social dinner with President Peevey and others in the summer of 2014, in which President Peevey made a passing comment to the effect that he liked the settlement (which had by that time been filed with the Commission), but that an element was missing – specifically something to address greenhouse gas issues – and he was going to work to get it added. I did not respond to President Peevey's comment on the SONGS settlement. I was retired from SCE at that point. I did not convey President Peevey's comment to anyone at SCE.

19. I was not a part of the group of executives who oversaw settlement discussions relating to the SONGS OII. I understand that Edison International General Counsel Robert Adler oversaw those settlement negotiations. I was not involved in, and do not have any knowledge about, the settlement discussions that eventually resulted in the SONGS settlement.

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

Executed at La Cañada, California on April 28, 2015.

  
\_\_\_\_\_  
Stephen Pickett



**From:** ronald.litzinger@sce/eix;nsf,ron.litzinger@sce.com;smtp  
**Sent:** Thu Apr 11 2013 16:21:45 PDT  
**To:** ted.craver@sce/eix@sce;robert.adler@sce/eix@sce;jim.scilacci@sce/eix@sce  
**CC:**  
**Subject:** Discussion with SP  
**Attachments:**

**Importance:** Low  
**Priority:** Normal  
**Sensitivity:** None

I met Steve face to face this morning and reinforced that there can be no discussions with the CPUC on settlement that is not sanctioned by us. There will only be one spokesperson appointed by us. I noted we are in listen mode only--Steve has yet another "social dinner" with President Peevey this weekend??

I pressed Steve as to whether his two previous meetings were listen only given we have heard whispers of leaks from the CPUC of significant SCE presence on the issue. He said he did not engage. He said the CPUC leaks like a sieve to which I commented that only reinforced my no unsanctioned engagement statement. By the way, Ed Randolph is currently in the hot seat for recording a private meeting with legislators without gaining prior consent and then getting caught.

For what it is worth, he volunteered independently that we should only engage with TURN at first (he mentioned Matt Friedman). I used that as an opportunity to seek out the answer to our question on "TURN without DRA". Steve said that can be done, but would likely result in a "protested settlement" with a hearing--DRA of course filing the protest. He would recommend considering inviting DRA in later in the process. I took it all under advisement. He said President Peevey feels strongly about Geesman. I merely responded his testimony shows him to be merely a "bomb thrower". He said is smart and could be trusted--"at least when he was in a superior position as a regulator". I again stated his testimony was inflammatory.

I left meeting uneasy. I am pondering another conversation clearly stating that unauthorized engagement would result in dismissal--but common sense would dictate that without saying it. Any thoughts would be appreciated.

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**John Geesman** 2nd  
Attorney at Dickson Geesman LLP  
San Francisco Bay Area | Public Policy

Search for people, jobs, companies, and more...

Education UC Berkeley School of Law

500+ connections

<https://www.linkedin.com/in/johngeesman>



#### Background



#### Experience

**Attorney**  
Dickson Geesman LLP

**Executive Producer**  
Scurvy News Network  
April 2011 – July 2011 (4 months)

**Co-Chair, Board of Directors**  
American Council on Renewable Energy (ACORE)  
November 2006 – March 2011 (4 years 5 months)



**Commissioner**  
California Energy Commission  
July 2002 – February 2008 (5 years 8 months)

**Chairman**  
California Managed Risk Medical Insurance Board  
January 2000 – July 2002 (2 years 7 months)

**Chair, Board of Governors**  
California Power Exchange  
March 1997 – July 2002 (5 years 5 months)

**Managing Director**  
RBC Dain Rauscher  
July 1985 – July 2002 (17 years 1 month)

**Board Member**  
California ISO  
2002 – 2002 (less than a year)



**President, Board of Directors**  
TURN  
1991 – 1998 (7 years)

**investment banker**  
First Boston Corporation  
1983 – 1985 (2 years)

**Executive Director**  
California Energy Commission  
1978 – 1983 (5 years)



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John Geesman

x





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— Back to Original Article

## California Public Utilities Commission could get pro-consumer majority

*Gov. Jerry Brown may make as many as three appointments this month to the state's top regulatory agency. Critics say the PUC has been overly friendly to the state's three big electric utilities in recent years.*

January 07, 2011 | By Marc Lifsher, Los Angeles Times

Reporting from Sacramento — Gov. Jerry Brown could have a big impact on business and residential energy bills and the California economy by making as many as three appointments this month to the state's top regulatory body, the Public Utilities Commission.

At least two appointments to fill current vacancies in the five-member panel could come as early as Friday and could start to give the PUC its most pro-consumer majority since the days of the energy crisis a decade ago.

A third member, Nancy Ryan, must step down Jan. 20 if her appointment last year by then-Gov. Arnold Schwarzenegger to a regular six-year term is not confirmed by the state Senate by then.

The PUC is a constitutionally independent commission that oversees companies supplying electricity, natural gas, telephone and cable service to millions of homes and businesses.

The agency also regulates drinking water providers, household moving companies, limousine operators and light-rail and intrastate railroad safety.

"This is a most powerful agency that is supposed to be regulating utilities that every Californian uses," said Kathay Feng, executive director of California Common Cause. "Its reach expands much further than what folks usually think of as public utilities."

All of the half-dozen candidates known to be interested in joining the commission have strong pro-consumer credentials. One, consumer lawyer Michael Florio, has spent the last 32 years representing utility ratepayers at meetings at the PUC's San Francisco headquarters.

Critics contend that the Schwarzenegger appointees, who dominated the panel in recent years, have been overly friendly to the state's three big electric utilities — Southern California Edison Co., Pacific Gas & Electric Co. and San Diego Gas & Electric Co. — and opened the door to higher rates.

At the same time, Schwarzenegger's commissioners largely deregulated the telephone business.

"We really think that the PUC has lost its way," said Mark Toney, executive director of the Utility Reform Network, a San Francisco ratepayer advocacy group. "The PUC in the last six years has a pattern of giving away the store to utilities. That's the first thing we want to see stopped."

Regulated companies such as Edison and major business trade groups such as the California Manufacturers & Technology Assn. declined to comment on possible Brown nominees and their influence on PUC policies.

But one Democrat in the state Senate didn't see a bias against consumers.

"I don't think the commission has been anti-consumer," said Sen. Alex Padilla (D-Pacoima), chairman of the Senate Energy, Utilities and Communications Committee. "The various commissioners each bring life experiences and sets of expertise to the commission. As a whole, they are relatively balanced."

Critics, though, point to a number of decisions by the PUC under President Michael Peevey that they say overly favored the big corporations at the expense of ratepayers.

Last month, the PUC helped utilities financially by reversing three proposed decisions by its own administrative law judges.

A 3-2 majority approved millions of dollars in energy efficiency bonuses for four utilities; another 3-2 vote allowed San Diego Gas & Electric to recoup wildfire insurance costs from ratepayers; and a 4-1 vote approved procurement orders for electricity from a new power plant that the PUC's independent Division of Ratepayer Advocates said wasn't needed.

Those decisions and others spurred an avalanche of spending that utilities can recoup — along with substantial markups — from consumers, said Cheryl Cox, the Division of Ratepayer Advocates' chief policy advisor.

"On the energy side, where so much money is being spent, we definitely want to see a more balanced ratepayer perspective from the commission," Cox said.

Critics also charge that the PUC has been complacent in overseeing regulated companies. An investigation of the fatal explosion of a PG&E natural gas pipeline in San Bruno in September showed that some PUC staff members did not do their jobs.

According to PUC work papers, the utility sought \$5 million in its 2009 rates to cover the cost of repairs to the San Bruno pipeline section that eventually failed.

"I think the gas pipeline aftermath has revealed some significant breakdowns in the safety division," said V. John White, executive director of the Center for Energy Efficiency and Renewable Technology in Sacramento.

9/6/2016

California Public Utilities Commission could get pro-consumer majority - latimes

Peevey, a former Southern California Edison president, declined to respond to the criticism or to speculate on who might be appointed to the commission. Peevey was appointed by former Gov. Gray Davis in March 2002 and named as president 10 months later. Schwarzenegger reappointed him to a second six-year term in 2008.

Brown can replace Peevey as president but can't remove him from the agency. Capital insiders suggest that the governor might replace him as president with John Geesman, a former member of the California Energy Commission.

Last fall, Geesman was a leader in a successful campaign to defeat a PG&E-sponsored ballot measure that would have made it more difficult for ratepayers to create public power authorities.

He previously served as president of the Utility Reform Network's board of directors. Geesman declined to talk about his application for a PUC appointment.

Another candidate, Florio, also has a strong connection to the Utility Reform Network. He has served as a staff attorney since 1978, appearing hundreds of times in PUC legal proceedings.

Other PUC candidates include former state Sen. Dean Florez; Catherine Sandoval, a Santa Clara University law professor and telecommunications expert; Jack McNally, a retired business official for the International Brotherhood of Electrical Workers; and Julia Levin, a former state energy commissioner and environmental attorney at the California attorney general's office.

Additionally, Brown could reappoint Ryan, an energy economist and former top Peevey assistant, to a new six-year term.

All of the candidates, except Florez, declined to be interviewed or could not be reached for comment. The governor's office also declined to comment.

Florez, the son of farmworkers who represented the southern San Joaquin Valley until last month, tangled repeatedly with PG&E, the PUC and Peevey over the installation of so-called electricity smart meters on residences.

The meters, his constituents complained, drove up energy bills. Florez cast the only negative vote to confirm Peevey's reappointment in 2008.

"My vote was really about the direction the PUC is going, not necessarily about Mike Peevey," Florez said. "The ratepayers are always the last persons to get served."

*marc.lifsher@latimes.com*



**FILED**  
9-15-16  
04:59 PM



**FILED**  
7-14-14  
04:59 PM



BEFORE THE  
PUBLIC UTILITIES COMMISSION  
OF THE STATE OF CALIFORNIA

Order Instituting Investigation on the  
Commission's Own Motion into the Rates,  
Operations, Practices, Services and Facilities  
of Southern California Edison Company  
and San Diego Gas and Electric Company  
Associated with the San Onofre Nuclear  
Generating Station Units 2 and 3

I.12-10-013  
(Issued October 25, 2012)

And Related Matters.

A.13-01-016  
A.13-03-005  
A.13-03-013  
A.13-03-014

**ALLIANCE FOR NUCLEAR RESPONSIBILITY'S NOTICE OF  
EX PARTE COMMUNICATIONS**

JOHN L. GEESMAN

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Date: July 14, 2014

Attorney for  
ALLIANCE FOR NUCLEAR RESPONSIBILITY

## NOTICE OF EX PARTE COMMUNICATION

Pursuant to Rule 8.4 of the California Public Utilities Commission (“Commission”) Rules of Practice and Procedure, the Alliance for Nuclear Responsibility (“A4NR”) hereby provides notice of the following ex parte communication:

On July 9, 2014 at 3:01 p.m., I initiated a telephone call previously invited by Commission President Michael Peevey. The call concluded at 3:08 p.m. The conversation was conducted from my office in Oakland and President Peevey’s office in San Francisco, and we were the only persons on the call. I emphasized the Proposed Settlement’s arbitrary split of mythical recoveries from Mitsubishi and NEIL, and suggested increasing the utility share in exchange for more tangible and immediate ratepayer benefit. I also encouraged Commission attentiveness to the greenhouse gas impacts of SCE’s mismanagement of SONGS. When discussion turned to SCE’s interest in resolving the matter during a period of low interest rates and high stock valuation, I stated that A4NR would not file a frivolous appeal but would seek redress of the several legal infirmities in the Proposed Settlement unless they are removed. No written, audiovisual, or other material was used for or during the communication.

Respectfully submitted,

By: /s/ John L. Geesman

JOHN L. GEESMAN  
DICKSON GEESMAN LLP

Date: July 14, 2014

Attorney for  
ALLIANCE FOR NUCLEAR RESPONSIBILITY



**ALLIANCE FOR NUCLEAR RESPONSIBILITY**

June 19, 2013

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Eight years ago the Alliance for Nuclear Responsibility (A4NR) was a panelist at the first California Energy Commission (CEC) Nuclear Workshop. Our input was welcomed by the Commission and resulted in the state's first recommendations to analyze the costs, benefits and risks of California's reliance on and seismically vulnerable and nuclear power plants. John Geesman, our attorney, sat on the Commission in 2005 and was impressed with A4NR's determination to give the public a voice, offering to provide legal counsel in 2011.

The Alliance has attended each Nuclear Workshop since 2005 and we are pleased to be with you today. The history of CEC's actions on nuclear reliance continues to be well documented in the 2013 IEPR and we will not take time to repeat it. Instead A4NR will provide our own history following the Commission's original recommendations and state actions – legislative and oversight.

In 2006, after the cost, benefit and risk analysis was recommended by the CEC, the A4NR met with San Luis Obispo's Assemblyman, Sam Blakeslee and asked him to author legislation that would mandate the CEC's wishes. The bill, AB 1632, passed the legislature with a single "no" vote and the Commission instigated the analysis in 2008. Before the Commission could approve the analysis PG&E announced that a new earthquake fault had been discovered 1800 feet from the reactor site. Although completion of the analysis was supported by the Commission, and the legislature before license renewals were filed, PG&E ignored the state's wishes and filed for an additional 20 years of operation in 2009. PG&E requested funding for the renewal in 2010 and the Alliance was the only party to oppose the funding. Our position, supported by the CEC was that until seismic studies were completed, and independently reviewed, no ratepayer funding should be granted. The Nuclear Regulatory Commission (NRC) place PG&E's license renewal on hold and after almost two years PG&E's application to the California Public Utilities Commission (CPUC) was dismissed. What has PG&E's premature filing costs its ratepayers – a question that will be asked in the current General Rate Case.

A4NR was the only public voice when PG&E and SCE applied for seismic funding. Our concerns were based less on the overall costs and more on what those costs included, and how the studies would be reviewed by the state's

independent seismic experts. Funding was granted and both utilities began work before the state had set up AB 1632's Independent Peer Review Panel, as we all know that process has had more than a few bumps. The denial of PG&E's permit for 3-D studies remains in limbo as the California Coastal Commission has denied permits. The Shoreline review is not expected to be complete until 2018.

After the AB 1632 was enacted we have witnessed an earthquake in Japan that knocked out 8000 MW of generation in 90 seconds and some of the reactors barely returned to service before the Fukushima tragedy. Since that time we have watched as Japan struggles to meet its energy needs, return residents to their homes, address thousands upon thousands of tons of contaminated water and soil, and restore confidence in their government. Earlier this month the former Prime Minister Kan, and former NRC Chairman Jaczko spoke in San Diego relating their experiences in a post Fukushima world. Although Prime Minister Kan's speech was in Japanese, the translation was compelling. Rather than quote from a translation, we will quote solely from Chairman Jaczko who reflects the experience of the man in charge of the NRC when the tragedy began, and for a year after the accident:

Chairman Jaczko: "...over the years we began to rely more and more on the fact that things were not likely to happen and as a result we didn't need to spend money to address them. Clearly the accident the accident at Fukushima told us otherwise...A recent assessment that was done by the American Nuclear Society which is a very credible organization made up of nuclear professionals, estimated in a report that they did following the accident that the overall costs including economic costs, loss of activity, the loss of viable use of land is approximately \$500 billion. Five hundred billion dollars is a tremendous sum and that is only a minimum...When we're dealing with nuclear power plants we are dealing with a situation in which you have a very unlikely events that can have very, very significant consequences...We have to pay much, much greater attention to the consequences of an accident, to the economic impact and the personal hardships on people.

"...As we look at the current fleet of nuclear reactors in this country, I think it is very important that appreciate in the United States that many of the plants that we have are aging. That these plants were designed over 60 years ago, the technology is very old and very outdated. And it's time that we reconsider prolonging the lifetime of many of many of these reactors.

(CONTINUE and link to our website: <http://a4nr.org/?p=2747> )

The Alliance for Nuclear RESPONSIBILITY finds the delayed action by the CPUC and the CAISO troubling. We believe it is a major cause of our state's current energy challenges in Southern California. Over a thousand workers will soon lose their jobs and neither agency felt the need to fully enact AB 1632 until after San Onofre's steam generators failed. San Diego and possibly Orange

County residents and business fear brownouts and blackouts should the weather be extreme or should fires breakout. The uncertainty of reliable generation and lack of responsible planning can be laid squarely on the shoulders of the CPUC, CAISO and foot dragging by SCE.

Yet responsibility also demands that we look for opportunity in this electric chaos. It also demands that this shortsightedness not be repeated at Diablo Canyon. A4NR is currently sponsoring SB 418, sponsored by Senator Hannah Beth Jackson who represents both SCE and PG&E ratepayers. As SCE has decided to retire San Onofre the bill now only applies to Diablo Canyon, and then only if PG&E reapplies for license renewal.

SB 418 would mandate a full analysis of all foreseeable costs: once-through-cooling alternatives, new security measures, new seismic requirements, lessons learned from Fukushima... before PG&E could seek ratepayer funding for license renewal. While we understand that the CPUC could enforce this requirement, it did not do so when PG&E filed in 2010 and we believe a mandate is the solution.

California cannot afford more nuclear surprises and SB 418 is written to reduce the uncertainties and the costs of continued reliance on these aging reactors. Retirement has been announced at four nuclear plants in the last four months – none were anticipated a year ago and all will be costly and challenge adequate energy supplies.

Responsibility demands that we not only ask tough questions, but demand they be answered, before ratepayer dollars are invested. SB 418 demands PG&E analyze all costs of license renewal, only then can the state decide if its long term planning should continue reliance on aging reactors or invest in alternatives.

Last week Bloomberg has reported that the cost of decommissioning 6 nuclear reactors in Britain are estimated at \$106 billion and quoted one economic analyst “Decommissioning reactors that have operated for so long is uncharted territory, so it’s very difficult even for utilities to know much these projects will cost and how long they’ll take,” Seidenspinner said by phone from Frankfurt on June 7. “That can be an added risk for utilities.”

All agree that the longer it takes to decommission the longer the utilities and their ratepayers will be on the hook.

The NRC will soon adopt their lesson-learned from Fukushima and the CPUC will eventually determine what ratepayers will pay for San Onofre. SB 418 sponsored by Hannah Beth Jackson requires that there be an analysis of foreseeable costs of Diablo Canyon.

Next week could bring more negative news to the nuclear industry and more costs to consider. Time is not on the side of aging reactors and costs are mounting.

The Alliance for Nuclear Responsibility requests that the CEC support SB 418.

Rochelle Becker, Executive Director  
Alliance for Nuclear Responsibility  
[www.a4nr.org](http://www.a4nr.org)



**FOR IMMEDIATE RELEASE**

Media Contact: Terrie Prosper, 415.703.1366, [news@cpuc.ca.gov](mailto:news@cpuc.ca.gov)

**PRESS RELEASE**

Docket #: A.13-12-012

**CPUC TAKES ACTION IN RESPONSE TO INAPPROPRIATE  
PG&E CONTACT WITH AGENCY OFFICIALS**

SAN FRANCISCO, September 15, 2014 - The California Public Utilities Commission (CPUC) today announced that it has taken a number of steps in response to inappropriate email exchanges between a Pacific Gas and Electric Company (PG&E) official and the CPUC related to the utility's Gas Transmission and Storage proceeding.

The CPUC will determine possible penalties against PG&E for its inappropriate communication, which involved email exchanges regarding the assignment of an Administrative Law Judge to PG&E's Gas Transmission and Storage proceeding. Further, the CPUC will take the following actions to ensure that inappropriate communication with utilities does not reoccur, and that the integrity of the proceedings before the CPUC remains intact.

1) CPUC President Michael R. Peevey asked his Chief of Staff, who responded to PG&E's inappropriate contact, to, by mutual agreement, resign, and she has done so effective immediately.

2) Because of the inappropriate contact, President Peevey has recused himself from PG&E's Gas Transmission and Storage proceeding. In spite of the fact that the inappropriate exchange between PG&E and the CPUC was made in PG&E's Gas Transmission and Storage proceeding, President Peevey said that he will also recuse himself from the penalty consideration proceedings related to PG&E's natural gas pipeline rupture in San Bruno to eliminate any appearance of impropriety. Said President Peevey, "The inappropriate contact by PG&E was made in the Gas Transmission and Storage proceeding, not in the pipeline penalty proceedings. However, I am recusing myself from any role in considering the Administrative Law Judges' Presiding Officers' Decisions in order to



remove any doubt about my objectivity regarding these important cases. I feel that my voluntary recusal should ensure the public's confidence in the credibility and objectivity of the CPUC's decisions."

3) President Peevey has directed the CPUC's Executive Director to conduct a review, employing an outside expert, of internal procedures to guard against future ex parte violations by parties, and inappropriate contact by CPUC employees with parties.

CPUC Commissioner Mike Florio said, "To be clear, I took no action in response to PG&E's request for reassignment of the original Administrative Law Judge. But I should not have responded to PG&E's inappropriate inquiry and will not do so if something like this ever happens again. The Administrative Law Judge ultimately assigned to the Gas Transmission and Storage proceeding is very experienced in these matters and his integrity is above reproach, so I am confident the public will be well served. As a lawyer and a consumer advocate for more than 30 years, I want to assure those practicing before us, the many stakeholders to our proceedings, and the public that this will not happen again."

PG&E's Gas Transmission and Storage proceeding deals with cost of service and rates for gas transmission and storage services for 2015-2017. It was filed in December 2013 and is assigned to Commissioner Carla J. Peterman and Administrative Law Judge John S. Wong.

The emails are available at: [www.cpuc.ca.gov/PUC/News/Sept\\_15\\_2014\\_Email\\_Documents.htm](http://www.cpuc.ca.gov/PUC/News/Sept_15_2014_Email_Documents.htm).

For more information on the CPUC, please visit [www.cpuc.ca.gov](http://www.cpuc.ca.gov).

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**Introductory Remarks  
CPUC President Michael Picker  
January 15, 2015, Voting Meeting**

**Good morning, welcome to the first California Public Utilities Commission Voting Meeting of 2015. This is also my first meeting as President, and I'd like to say a few words before we proceed.**

**The CPUC has a long and important history here in California, regulating the industries responsible for building and maintaining services that are key to our daily lives and prosperity - electricity, natural gas, telecommunications, rail and transportation, and water.**

**Over the years, we have served the state well by making sure that the utilities who provide those services and build infrastructure use their economic power for our benefit and safety. Recently, working with other state agencies, we've led the nation in clean energy like wind,**

**solar, biomass, and geothermal and reducing GHG emissions from the electric industry. We have done great things.**

**But we've also faced real crises in the last few years, from the tragic PG&E gas transmission pipeline rupture in San Bruno that led to the discovery that our safety oversight was severely lacking, to the uncertainty both in the public, and inside the Commission, whether we are fair and even-handed in our actions.**

**The most obvious examples are a series of emails that show easy access to CPUC decision makers by utilities and other interested parties. They are troubling and very painful to read. But they are being carefully looked at by federal and state investigations, in which we are fully cooperating.**

**Whatever comes out of those investigations, the emails are signs to California citizens, to our stakeholders, and to ourselves, that we may not be ensuring equal access to our decisions and to our decisionmakers for everyone – our core value of fairness. What I can do as President is to make sure that does not happen again.**

**We've employed an outside expert, Michael Strumwasser of Strumwasser and Woocher, to review best practices we should adopt that help enforce internal ex parte rules. We have also banned one utility, PG&E, from all ex parte communications.**

**Taking our efforts toward transparency on these issues a step further, we implemented new reporting procedures for communications between certain CPUC staff and CPUC-regulated entities. Those contacts are now reported weekly online.**

**In the last six months alone, we received more than 220 requests for records that we have fulfilled, or are in the process of completing. We've retained outside counsel to help us review mountains of documents so that we can comply with these requests. They run the gamut from all emails on a certain issue, to all emails to utilities over the past four years. We retain all CPUC emails in our server archives from as far back as mid 2010.**

**This week an Administrative Law Judge issued a ruling – in response to a request from the City of San Bruno and Senator Hill – requiring PG&E to disclose approximately 65,000 emails dating back to 2010, between the utility and CPUC staff, that they have said they have in their server files. In addition, we released a series of emails to a San**

**Diego law firm between former President Peevey's office and Southern California Edison.**

**We will move the agency forward with openness and transparency. The way I work is that if there is a prohibition on having a conversation with somebody, I don't have it. I give all parties a fair and equal opportunity to help us set policies, and I expect the same of my fellow Commissioners, and I know they agree.**

**But what keeps me awake at night isn't first and foremost emails; it's the slow erosion of our safety programs over the years. Recently the US Department of Transportation's Pipeline and Hazardous Materials Safety Administration audited our gas pipeline safety functions and called into question our ability to effectively fulfill tasks. I think that the audit is hard on us, but accurate.**

**We don't have consistent practices for safety enforcement record keeping; we don't have comprehensive training in investigation and case management; and, we don't have a written enforcement policy.**

**While I don't minimize the importance of breaches in observing ex parte communications, I think that these organizational questions deserve our urgent attention.**

**I have found that Staff here at the CPUC are capable and take their jobs seriously. In the area of safety, our Rail Safety Unit's Crude Oil Reconnaissance Team, operating primarily in the Bakersfield area, did a stellar job in tracking where volatile Bakken crude imports are likely to go, and doubling their oversight in that part of the rail system. The new risk assessment in rate setting policy we recently adopted allows us to go beyond simple compliance and to identify how utility investments can reduce hazards even beyond current standards.**

**The recent investigation into PG&E's distribution gas system operations shows that, while we have a ways to go in developing a comprehensive modern safety enforcement program, we have the people to build on that. There are examples like these in every division and every branch. (We'll discuss a new safety plan that staff have been working on for the last 180 days later today, and at our next business meeting).**

**But innovations in technology, new businesses, and new legislation are allowing consumers more choices that make it ever more difficult for us to manage our regulatory responsibilities with the tools that we have.**

**Nowhere is this more apparent than in energy, where customer adoption of rooftop solar and electric vehicles is creating a market place where the Commission's jurisdiction is no longer all encompassing. These changing market dynamics coupled with the sheer speed of change requires that we reconsider how we go about our jobs and the tools that we have to do them. We'll need to focus our attention more on how the organization is set up, and how it operates in order to address these trends and to carry out our role in the Governor's greenhouse gas reduction goals.**

**Re-building the CPUC into an organization that is more fair, open, accessible, and effective must start at the top. I plan to ask my fellow Commissioners today to join me in taking on a more hands-on role in the governance of this Commission.**

**In this vein, I am proposing that the Commissioners form committees that will regularly meet in public to discuss how this Commission can build capabilities and improve competencies, and develop explicit delegations and accountability so that we can measure improvement and target support.**

**We'll also develop a Commissioner code of conduct that we'll all sign and that also covers many of the concerns about recent ex parte communications with regulated utilities. We'll talk more about that later in our agenda today under Commissioner Reports, as well as receive our first public briefings from the new internal audit team during Management Reports.**

**I also want to report that our new Executive Director has started working with the staff on a strategic planning process, the first organization wide effort since 1995...**

**After serving as a Commissioner last year, and seeing that we have a lot of talented and dedicated people here who are trying hard to do their jobs well, I realized that I couldn't quit without trying harder to match their commitment. So I asked the Governor to appoint me President because I want to make this Commission as good as the people who work here.**

**I am confident that working together and making real changes in how we do business will result in a stronger CPUC that robustly serves the**

**interests of the people of California and helps us improve safety in all the industries we regulate.**

**We have a lot to do, so let's giddy-up and go...**

# Ex-regulator to be toasted by industry



## Celebration for former utilities chief comes amid state corruption investigation



[\(/staff/jeff-mcdonald/\)](#)

By Jeff McDonald [\(/staff/jeff-mcdonald/\)](#) | 5:46 p.m. Jan. 30, 2015

Even as state investigators rummaged through Michael Peevey's kitchen, office and garage this week, many of the people he regulated as president of the California Public Utilities Commission have been invited to spend \$250 apiece to toast him at a farewell dinner.

"You're invited to join us in honoring Mike Peevey," the invitation reads. "A lifetime of service to the people of California."

A reception begins at 6 p.m. on Feb. 12. Dinner follows at 7 p.m.

The gala is slated for the Julia Morgan Ballroom inside the Merchant Exchange Building in San Francisco's financial district, right on the cable-car line. It will be sponsored by a host of current and former energy executives and lobbyists, as well as political appointees, union leaders and others.

Invitations to the salute for Peevey, who served 12 years as the top utility regulator in California, went out just as agents from the state Attorney General's Office executed a search warrant at his La Canada Flintridge home near Los Angeles, and the home of one of the utility executives he was close to.

Peevey is front and center in a public-corruption investigation that began after emails released last year showed he regularly met with and communicated privately with executives from companies he was charged with regulating.

According to a search warrant obtained by U-T Watchdog [and posted online earlier today](#) (<http://www.utsandiego.com/news/2015/jan/30/peevey-house-raid-search-warrant-cpuc/?Watchdog>), investigators seized bank records, computers, files, thumb drives and six years' worth of day planners from Peevey's Los Angeles area home on Tuesday.

They also found "RSG notes on Hotel Bristol stationary," which appears to be a reference to replacement steam generators — the flawed project that led to the premature decommissioning of the San Onofre nuclear power plant.

Ratepayers in San Diego County and Southern California are to pay \$3.3 billion out of the \$4.7 billion in shutdown costs as a result of the faulty steam generators that leaked in 2012 and prompted the plant to close for good in 2013, a formula some have complained is unfair to the public.

The [search warrant](#) ([http://media.utsandiego.com/news/documents/2015/01/30/Peevey\\_affidavit.pdf](http://media.utsandiego.com/news/documents/2015/01/30/Peevey_affidavit.pdf)) says Peevey is suspected of felony corruption for his dealings with utilities. The same day agents searched his home, they searched the home of Pacific Gas & Electric executive Brian Cherry.

Invitations to the dinner were sent to notable energy industry leaders up and down the state.

RSVPs were requested by today, and were directed to Susan Kennedy, a member of the California Health Benefit Exchange board and longtime chief of staff to former Gov. Arnold Schwarzenegger.

Kennedy did not respond to questions about the event.

Money raised will go to the Goldman School at the University of California Berkeley, where Peevey sits on a board of advisers.

More than 80 gala co-sponsors include Kathleen Brown, the former state treasurer and Sempra Utilities board member who is also Gov. Jerry Brown's sister.

The governor's office, which has multiple representatives scheduled to attend, had no comment when asked about the event.

Brown appointees listed as sponsors include Robert Weissenmiller of the Energy Commission, Mary Nichols of the Air Resources Board, Denice Tyrell of the Public Utilities Commission and Dan Richard of the High-Speed Rail Authority.

One of the most significant co-sponsors may be Michael Picker, whom Brown appointed president of the utilities commission when Peevey stepped away.

U-T Watchdog reported this month (<http://www.utsandiego.com/news/2015/jan/10/regulators-hobnobbing-with-utilities-questioned/>) on emails between Peevey and the companies he was supposed to regulate, showing he arranged meetings with them at expensive restaurants, dropped commission business to meet with them in private and accommodated their requests to delay commission business to their advantage.

Picker told U-T Watchdog the revelations were “troubling and very painful,” and he pledged to restore the reputation of commission he now runs.

Picker went on to open his first meeting of the commission with prepared remarks using similar language in reference to his predecessor.

Picker said the emails “show easy access to CPUC decision makers by utilities and other interested parties. They are troubling and very painful to read. But they are being carefully looked at by federal and state investigations, in which we are fully cooperating.”

Picker pledged to “move the agency forward with openness and transparency.”

This afternoon, Picker defended his co-sponsorship of the Peevey celebration in a statement to the U-T.

“He’s the former president and worthy of my respect for his many accomplishments,” Picker said in the statement.

The commission president did not respond to questions about whether his sponsorship of the event sends the wrong message to ratepayers or the public.

Former San Francisco mayor and state Assembly speaker Willie Brown will serve as emcee for the evening, according to the invitation. Brown subsequently became a lobbyist for Pacific Gas & Electric.

Other notable sponsors include former Edison executive Bruce Foster, public-relations executive Dan Solem and Jan Smutney Jones, a lobbyist who represents energy producers.

Foster featured prominently in the U-T Watchdog story about Peevey’s emails with energy executives, as the regulator skipped commission business to lunch with Foster and delayed key decisions Foster and Edison were interested in. Foster called Peevey “such a dear” and “a great friend.” ([http://media.utsandiego.com/news/documents/2015/01/09/peevey\\_emails\\_1.pdf](http://media.utsandiego.com/news/documents/2015/01/09/peevey_emails_1.pdf))

This afternoon, under a court order, the utilities commission was to release some 65,000 additional emails. Spokeswoman Terrie Prosper said the records are being reviewed for any improper conduct.

“If it is discovered that any employee engaged in a practice that appears inconsistent with CPUC rules or state law, a further fact-finding will take place and appropriate corrective action, if needed, will be taken,” she said.

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**M e m o r a n d u m**

FEB 03 2015



**Date:** February 3, 2015

EXHIBIT TO REPORT

**To:** Timothy Sullivan  
Executive Director (Acting)  
California Public Utilities Commission  
505 Van Ness Ave.  
San Francisco, CA 94102

**From:** Public Utilities Commission—San Francisco - Christine Hammond  
Advisor to  
Michael Picker, President

**File No:**

**Subject:** *California Form 803 – Behested Payment Report*

Enclosed please find a Form 803 submitted by President Michael Picker. Certain information (addresses of two payors and the contact person for one payor) are not included at the present time. In the interest of timely reporting, we are providing this partial information and will make supplemental filings as more information becomes available.

Please call me at 415-703-2682 or via e-mail at [cjh@cpuc.ca.gov](mailto:cjh@cpuc.ca.gov) if you have any questions.

Behested Payment Report

A Public Document

Behested Payment Report

1. Elected Officer or CPUC Member <i>(Last name, First name)</i>		Date Stamp	California <b>803</b> Form For Official Use Only
PICKER, MICHAEL		2015	
Agency Name			
CALIFORNIA PUBLIC UTILITIES COMMISSION			
Agency Street Address			
505 VAN NESS AVE., SAN FRANCISCO, CA 94102			
Designated Contact Person <i>(Name and title, if different)</i>		<input type="checkbox"/> Amendment <i>(See Part 5)</i>	
Area Code/Phone Number	E-mail <i>(Optional)</i>	Date of Original Filing: _____ <i>(month, day, year)</i>	
(415) 703-2444	Michael.Picker@cpuc.ca.gov		

2. Payor Information *(For additional payors, include an attachment with the names and addresses.)*

(SEE ATTACHMENT)

Name \_\_\_\_\_

Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

3. Payee Information *(For additional payees, include an attachment with the names and addresses.)*

(SEE ATTACHMENT)

Name \_\_\_\_\_

Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

4. Payment Information *(Complete all information)*

Date of Payment: (SEE ATTACH) *(month, day, year)* Amount of Payment: *(In-Kind FMV)* \$ (SEE ATTACHMENT) *(Round to whole dollars)*

Payment Type:  Monetary Donation or  In-Kind Goods or Services *(Provide description below.)*

Brief Description of In-Kind Payment: \_\_\_\_\_

Purpose: *(Check one and provide description below)*  Legislative  Governmental  Charitable

Describe the legislative, governmental, charitable purpose, or event: Net proceeds from donations benefit the Goldman School of Public Policy at U.C. Berkeley

6. Amendment Description or Comments

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

6. Verification

I certify, under penalty of perjury under the laws of the State of California, that to the best of my knowledge, the information contained herein is true and complete

Executed on 2/3/15 DATE By  SIGNATURE OF ELECTED OFFICER OR CPUC MEMBER

ATTACHMENT TO CALIFORNIA FORM 803  
 MICHAEL PICKER, PRESIDENT, CALIFORNIA PUBLIC UTILITIES COMMISSION  
 REPORTED FEBRUARY 3, 2015

	<u>Date of Payment</u>	<u>Payor</u>	<u>Contact of Payor</u>	<u>Address of Payor</u>	<u>Amount</u>	<u>Payee</u>	<u>Address of Payee</u>	<u>Description</u>	<u>LGC Purpose</u>
1	1/27/15	International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers, and Helpers	Tom Baca	753 State Avenue, Suite 56S, Kansas City, KS 66101-2511	\$5,000.00	Michael Peevey Tribute Dinner	c/o Don Solem, co-chair Mill Valley, CA	Net proceeds to the Goldman School of Public Policy, U.C. Berkeley	Charitable
2	1/20/15	International Brotherhood of Electrical Workers, AFL-CIO, Local Union No. 1245	Tom Dalzell	P.O. Box 2547 Vacaville, CA 95696	\$5,000.00	Michael Peevey Tribute Dinner	c/o Don Solem, co-chair Mill Valley, CA	Net proceeds to the Goldman School of Public Policy, U.C. Berkeley	Charitable
3	12/30/14	Goodin MacBride Squeri Day & Lamprey	Michael Day/Tom MacBride	505 Sansome Street, 9 <sup>th</sup> Floor, San Francisco, CA 94111	\$10,000.00	Michael Peevey Tribute Dinner	c/o Don Solem, co-chair Mill Valley, CA	Net proceeds to the Goldman School of Public Policy, U.C. Berkeley	Charitable
4	1/30/15	Southern CA IBEW-NECA Labor Management Committee	David Gomez		\$5,000.00	Michael Peevey Tribute Dinner	c/o Don Solem, co-chair Mill Valley, CA	Net proceeds to the Goldman School of Public Policy, U.C. Berkeley	Charitable
5	1/27/15	State Building and Construction Trades Council of California	Robbie Hunter	1231 I Street, Suite 302, Sacramento, CA 95814-2933	\$5,000.00	Michael Peevey Tribute Dinner	c/o Don Solem, co-chair Mill Valley, CA	Net proceeds to the Goldman School of Public Policy, U.C. Berkeley	Charitable
6	1/27/15	International Brotherhood of Electrical Workers, Local No. 47	Pat Lavin	600 N. Diamond Bar Blvd. Diamond Bar, CA 91765	\$5,000.00	Michael Peevey Tribute Dinner	c/o Don Solem, co-chair Mill Valley, CA	Net proceeds to the Goldman School of Public Policy, U.C. Berkeley	Charitable

7	1/29/15	Southern CA Pipe Trades District Council #16	Mike Layton	501 Shatto Place, Suite 400 Los Angeles, CA 90020	\$5,000.00	Michael Peevey Tribute Dinner	c/o Don Solem, co-chair Mill Valley, CA	Net proceeds to the Goldman School of Public Policy, U.C. Berkeley	Charitable
8	1/28/15	California State Council of Laborers	Jose Mejia	1121 L Street, Suite 502 Sacramento, CA 95814	\$5,000.00	Michael Peevey Tribute Dinner	c/o Don Solem, co-chair Mill Valley, CA	Net proceeds to the Goldman School of Public Policy, U.C. Berkeley	Charitable
9	1/27/15	Solar City	Lyndon Rive	3055 Clearview Way San Mateo, CA 94402	\$5,000.00	Michael Peevey Tribute Dinner	c/o Don Solem, co-chair Mill Valley, CA	Net proceeds to the Goldman School of Public Policy, U.C. Berkeley	Charitable
10	1/30/15	Southern CA District Council of Laborers			\$5,000.00	Michael Peevey Tribute Dinner	c/o Don Solem, co-chair Mill Valley, CA	Net proceeds to the Goldman School of Public Policy, U.C. Berkeley	Charitable