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

Application of Californians for Renewable
Energy, Inc. (CARE) to modify Decision 06-
07-027

Application 10-09-012
(Filed September 20, 2010)

Notice of *Ex Parte* Communications

Pursuant to Rule 8.2 of the California Public Utilities Commission (“Commission” or “CPUC”) Rules of Practice and Procedure, Californians for Renewable Energy, Inc. (CARE) provides Notice of ExParte Communications with the Commission. The attached *ExParte* communication was sent via e-mail to President Peevey’s Chief of Staff, Carol Brown, Commissioner Grueneich’s Chief of Staff, Theresa Cho, Commissioner Bohn’s Chief of Staff, Stephen St. Marie, Commissioner Simon’s Interim Chief of Staff, Melicia Charles, and Commissioner Ryan’s Chief of Staff, Sepideh Khosrowjah, on October 5, 2010.

Respectfully submitted,

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October 5th, 2010

Dear Chief of Staff Carol Brown,

I called the Federal Communications Commission (FCC) on September 30, 2010 to follow up on my September 9, 2010 complaint alleging that a PG&E Smart Meter induced an "arc-flash" that caused the San Bruno pipeline explosion. I spoke with the FCC Consumer & Governmental Affairs Bureau about my complaint and he informed me that my complaint had been approved for enforcement review.

We talked a little bit about the recent information that the cathodic protection system connected to the pipeline had a power failure in Milpitas CA hours before the explosion. Cathodic protection (CP) is a technique used to control the corrosion of a metal surface by making it the cathode of an electrochemical cell.¹ The simplest method to apply CP is by connecting the metal to be protected with another more easily corroded metal to act as the anode of the electrochemical cell. Cathodic protection systems are most commonly used to protect steel, water or fuel pipelines² and storage tanks, steel pier piles, water-based vessels including yachts and powerboats, offshore oil platforms and onshore oil well casings. Cathodic protection can, in some cases, prevent stress corrosion cracking. Based on local news reports it is unclear if PG&E even had such a system on the San Bruno pipeline all together. [See News articles below.]

I explained to him about EMC testing and he perked up when I mentioned ESD. I explained my theory was that if there was a flash-over event within the breaker box in one of the residences whose gas pipe was connected to the gas

¹ A.W. Peabody, Peabody's Control of Pipeline Corrosion, 2nd Ed., 2001, NACE International. p.6, ISBN 1575900920.

² 49 CFR 192.112 - Requirements for Corrosion Control - Transportation of natural and other gas by pipeline: minimum federal safety standards.

main was induced by the Smart Meter, since the cathodic protection system connected to the gas main was inactive [if there was such a system] the circuit had no protection from an "arc-flash" occurring underneath the gas main, this creating the necessary confluence of events 1) power to the gas-main cathodic protection system fails 2) Smart Meter's reactive power causes surge protector breakers to engage dumping 240 Volts AC 32 Amps to gas-pipe grounded to gas-main 3) with just the sufficient fuel air mixture in a small void below the gas-main a flash over-spark occurred causing 4) the gas-main to explode blowing a large section of the pipe over 100 feet in the air and killing 8 people.

The FCC seemed to indicate they are taking this matter very seriously as demonstrated by the fact the complaint has been approved for enforcement review. The FCC told me I could update the complaint. I told them I would be doing that as soon as I received my complaint acknowledgment letter (attachment sent Sept. 28) by including the opening of my Application 10-09-012 before the CPUC. I intend to update both my FCC complaint and Application 10-09-012 to include the more recent information on the events surrounding the San Bruno pipeline explosion.

Respectfully,



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Attachment A

Uploaded: Monday, September 20, 2010, 6:44 PM

Stanford gas line on PG&E 'Top 100' risk list

Also, 54-year-old Palo Alto transmission line identified for future retrofit

by [Sue Dremann](#)

Palo Alto Online Staff



http://www.paloaltoonline.com/news/show_story.php?id=18314

A natural-gas pipeline running along Junipero Serra Boulevard in Stanford is on Pacific Gas & Electric Company's (PG&E) "Top 100" list of segments with greatest potential risk, according to a report released Monday by PG&E.

California Public Utilities Commission and Gov. Arnold Schwarzenegger had insisted PG&E release the "Top 100 Segments" report after a pipeline exploded on Sept. 9, creating an inferno in San Bruno that killed seven people, injured 50 others and destroyed 37 homes.

PG&E came under sharp criticism last week for not making the list public after it was disclosed that a portion of Line 132 near the explosion site had been identified as a high risk by PG&E in 2007.

No San Bruno portions of Line 132 were on the Top 100 list released Monday, however.

Company spokespersons originally said PG&E would not release the list due to security concerns. But under questioning by reporters on Monday, PG&E President Christopher Johns said fear of terrorism was not the issue; the list was in an Excel format that was unintelligible to anyone but engineers and required reformatting, he said.

The Peninsula has three main pipelines running its length: Line 132 and Line 109 follow Interstate 280 to Stanford and Palo Alto before turning eastward, and Line

101 aligns roughly with U.S. Highway 101, according to maps provided by the U.S. Pipeline and Hazardous Materials Safety Administration.

The Top 100 list identifies two segments of Line 109 -- a total of 6,005 feet along Junipero Serra north of Page Mill Road -- as requiring monitoring for corrosion. *PG&E conducted an analysis of the cathodic system (a process that protects the pipeline segment from corrosion) and adjusted the cathodic system for better protection, according to the report.*

A 2009 analysis showed "marked improvement," and engineers will continue monitoring the segment, the report stated. The short northern stretch along Junipero Serra is ranked 56 on the list, and longer contiguous southern stretches tied for 60, 61 and 62.

Line 132 as it runs through Palo Alto is not formally ranked on the Top 100 list. Only a 2,628-foot segment of the pipeline in San Jose is noted, at No. 26. But the report states that 31.9-mile stretch of Line 132, nearly the entire length from Milpitas to Crystal Springs Reservoir, including Palo Alto, is scheduled for retrofitting so that engineers can use high-tech scopes to internally inspect the 54-year-old pipeline for corrosion.

Line 132 is vulnerable to damage due to ground movement because of its proximity to the San Andreas Fault, PG&E's report stated. Based on inspections, PG&E will determine whether repair or replacement is warranted for various stretches. Construction is scheduled for 2012-2013.

In Palo Alto, Line 132 runs east along Page Mill Road and Oregon Expressway. The pipeline jogs south, zig-zagging along Alma Street, El Carmelo Avenue, Waverley Street, Loma Verde Avenue, Cowper Street, Ashton Avenue and Middlefield Road, according to a map by the Pipeline and Hazardous Materials Safety Administration.

One stretch of the gas line along El Carmelo was "retired," the map shows. In 1966, a gas explosion took place at El Carmelo School. A second, replacement line was installed along El Carmelo and currently is in use.

City of Palo Alto Manager James Keene said his staff is reviewing the Top 100 list. He received a call from PG&E on Sunday telling him there are no lines in Palo Alto on the list, only Stanford.

But the city is interested in obtaining more information, Keene said, calling the data and maps provided to the city by PG&E outdated and "incomplete."

City staff is drafting a formal request to PG&E to clarify where the PG&E gas lines run through the city and to define if there are high-risk locations in Palo Alto. Officials also want to know if there are other documents besides the Top 100 list

released Monday that identify high-risk segments, he said.

Several reporters at a PG&E press conference Monday questioned the Top 100 list's credibility, since the San Bruno segment did not show up at all as a "red flag."

Johns said investigators' findings related to the explosion could help determine if present processes of evaluation for pipelines are good or not.

In response to an order by the California Public Utilities Commission, PG&E has nearly completed a resurvey of the three peninsula pipelines. The company still has to check a two-mile section located in an inaccessible area, Johns said. Workers found one small leak at a valve in Milpitas, he added.

The Top 100 list, created at the end of 2009, is an annual compilation of prioritized gas-line segments the company has identified out of 20,000. It is used as part of PG&E's risk-management program, Johns said, downplaying the list's frequent characterization as the top riskiest.

Paul Clanon, executive director of the California Public Utilities Commission (CPUC), agreed.

"I want to assure the public that the list is not of pipelines that are at risk or dangerous. The list is a tool used by PG&E to prioritize maintenance, repair, or monitoring of its gas pipelines," he said.

"The CPUC will review the list to ensure that PG&E is monitoring their system effectively. We will also ask the state's other regulated natural gas utilities to provide us with similar planning lists."

The pipelines were evaluated against four criteria: potential for third-party damage during construction work; corrosion, ground movement, physical design and characteristics of the pipe segment. PG&E also considers the proximity of the pipeline to high-density populations, reliability impacts and environmentally sensitive areas, he said.

Based on all of these factors, PG&E determines which segments warrant further evaluation, monitoring or other future action. The list is created to help inform future work plans. As conditions change from year to year, such as when construction is completed, PG&E re-evaluates the list, he said.

The commission Monday also released audits it conducted of PG&E's Peninsula Division in 2008 (a 2010 audit is being finalized) and the Hollister/Milpitas District in 2008, and PG&E's responses to the audit findings.

PG&E was cited for not complying with the minimum gas-safety requirements of

Title 49, Code of Federal Regulations (CFR), Section 192, and for not maintaining adequate documentation and inspecting their gas facilities within the required time intervals, according to Terrie Prosper, the commission's director of news and public information office.

These violations were not considered hazardous to the public but were in violation of pipeline-safety regulations. The commission conducts audits of selected sections of each investor-owned utility's gas transmission and distribution system approximately every two years, Prosper said.

The commission also made available two letters sent by PG&E in response to the commission's executive director requesting a variety of information related to the San Bruno explosion. Those two letters, the 100-segments list, maps of the pipeline segments and the two CPUC audit reports are available at www.cpuc.ca.gov/PUC/events/sanbruno.htm.

Concerned residents can call PG&E at 1-888-743-7431 to find out if their home or business is located within 500 feet of a gas-transmission line or if it is on the Top 100 list.

Attachment B

Stanford Report, September 24, 2010

Gas pipeline update: Campus officials meet with PG&E

<http://news.stanford.edu/news/2010/september/pipeline-info-update-092410.html>

Campus officials met with representatives of PG&E Wednesday afternoon and later with the board of the Stanford Campus Residential Leaseholders to address questions and concerns in the wake of being informed Monday that a 22-inch high-pressure gas pipeline along Junipero Serra Boulevard is on PG&E's high-priority maintenance list.

Campus officials have been working to obtain further information from PG&E in the wake of being informed Monday that a 22-inch high-pressure gas pipeline along Junipero Serra Boulevard is on PG&E's high-priority maintenance list.

The campus presented an extensive list of questions about the pipeline to four officials from PG&E who came to the campus Wednesday afternoon for a meeting with campus utilities and safety officers.

"We had a very positive exchange and open communication," said Larry Gibbs, associate vice provost for Environmental Health and Safety. "They were very helpful to us in some areas, particularly in explaining how they are now monitoring pipelines and to help us as we prioritize upcoming campus projects that involve work near gas lines. But they also were not able to provide us some of the information we sought about the status of the Junipero Serra pipeline."

PG&E said that it could not answer the campus' questions regarding the age, maintenance history or current condition of Line 109, which was identified Monday as having 6,005 feet in four segments on PG&E's Long-Range Gas Transmission Pipeline Planning Input list of "top 100" segments. The Junipero Serra segments are ranked at 56, 60, 61 and 62 out of 2,000 pipelines on their maintenance list, PG&E officials said Wednesday, and are on the list due to potential for corrosion.

The utility company's documents state that: *"PG&E conducted an analysis of the cathodic system that protects this pipeline segment from corrosion. Based on this analysis, the system was adjusted for better protection. Analysis of the system in*

2009 showed a marked improvement. Engineering will continue monitoring the segment, but no further action is contemplated at this time."

PG&E officials said that the National Transportation Safety Board has asked the utility not to comment on maintenance issues or the conditions of pipelines while the investigation is ongoing into the Sept. 9 San Bruno explosion. PG&E said that it is known that Line 132, which also runs along Junipero Serra but was not on the "top 100" list, was installed in 1956. The utility officials were not able to respond when questioned about the date for Line 109, which runs on the campus side of the boulevard.

PG&E officials said that pipeline segments on their priority maintenance list change every year, and that the list is ranked through a risk analysis that takes into account a number of factors. They said the utility follows a standard risk assessment practice used nationally by the gas pipeline industry and gas utilities.

The PG&E representatives attending the meeting included the gas engineer responsible for the lower peninsula area, the supervisor for maintenance and construction and Stanford's PG&E account representative.

PG&E said it is conducting bimonthly monitoring of Line 109, and all of its pipelines, to check pressure and corrosion protection systems. The officials also indicated that the utility regularly provides for aerial surveillance and road and foot monitoring. Visual monitoring includes examining vegetation around gas lines to identify whether a leak could be present. Since the San Bruno incident PG&E has been required to conduct an inspection of its entire high-pressure transmission pipeline by Oct. 12, and that is proceeding.

PG&E officials also said that excavation or third-party activity near gas transmission lines, rather than corrosion, remains the biggest danger to pipelines. Stanford has suspended plans to work on a water and wastewater project along Junipero Serra that would have involved digging around Line 109. PG&E is also planning activity in the same area to add additional distribution of low-pressure distribution capacity to the campus. Since both projects are in similar areas, it was decided to postpone the university project so it can be better coordinated with the PG&E project in the area. The university works very closely with PG&E on all construction projects that are in the vicinity of gas lines, with PG&E inspectors on site during the process.

Also on Wednesday evening, representatives from the university offices of Environmental Health and Safety; Land, Buildings and Real Estate; and Utilities updated the board of the Stanford Campus Residential Leaseholders (SCRL) on the pipeline issue at its regularly scheduled meeting. They provided the board with an update following the meeting earlier in the day with PG&E officials and answered questions about the issue.

Jack Cleary, associate vice president for land, buildings and real estate, reiterated the point that the utility company's "top 100" list should not be construed as a list of imminent safety hazards. Instead, he noted, the list is one of PG&E's protective maintenance and risk-management planning tools used to prioritize resources and plan for enhanced monitoring or future work.

SCRL board members expressed appreciation for the university's efforts to communicate quickly with campus homeowners. They also expressed relief that university officials have continued to communicate and coordinate with the utility company on planned projects, such as the water and sewer project originally scheduled to begin Monday, Sept. 20.

"The water and sewer project was not a critical project that needed to be done right away," Gibbs said, noting that PG&E is planning a project to add a new gas pressure reducing station from Junipero Serra to accommodate increased gas distribution capability on campus with the new campus housing and dining facilities going online. "We decided to wait to make sure anything Stanford does in the area will not interfere with the work needed for the gas distribution hookup," Gibbs added.

The university will provide updates on the high-pressure gas pipeline situation near Stanford as new information becomes available.

If anyone has further questions, contact the campus Office of Environmental Health and Safety at (650) 723-0448.

Attachment C

Feds probing whether power outage was involved in San Bruno blast

[By Joshua Melvin and Paul Rogers Bay Area News Group](#)

Posted: 09/27/2010 08:28:42 PM PDT

Updated: 09/28/2010 08:28:05 AM PDT



A firefighter works as the fire continues burning four hours after the initial natural gas...

http://www.mercurynews.com/ci_16190787?source=most_viewed&nclick_check=1

SAN BRUNO -- Pacific Gas & Electric lost electric power to a key part of its natural gas pipeline system at its control center in Milpitas only hours before an explosion ripped through a San Bruno neighborhood, killing seven and destroying 37 houses.

The new information was made public Monday by U.S. Rep. Jackie Speier, D-Hillsborough, at a news conference to unveil a new piece of pipeline safety legislation.

"I think we will probably find out months later that it was a perfect storm," Speier said. "It was a number of factors that came together to create an environment in which the explosion took place. There is also an issue about the loss of electricity that occurred earlier in the day and the bringing the system back up and whether or not everything was synchronized properly."

Speier did not elaborate, but Peter Knudson, a spokesman for the National Transportation Safety Board in Washington, confirmed that equipment known as the uninterruptible power supply system, at the Milpitas control center, shut down. The line that exploded, Line 132, originated in Milpitas and ran north to San Francisco.

PG&E crews had been working on the power supply system, Knudson said.

"We are looking at whether it played a role in the accident," he said.

Two weeks ago, Christopher Hart, vice chairman of the NTSB, told the Mercury News in an interview that federal investigators went to the Milpitas control center, located near

Interstate 880 and Highway 237, on Sept. 14, and copied records from its computer system and pipeline pressure sensors, equipment Hart described as "loosely analogous to the black box in an airplane."

A loss of electrical power could have affected the computer system and other equipment that monitors and maintains natural gas pressure in the pipe. Last week, the Mercury News reported that pressure in the line was 386 pounds per square inch, higher than the 375 psi that PG&E says was its limit, but still below the "maximum allowable operating pressure" of 400 psi that the pipe was rated for.

The development came on the same day Speier announced legislation that would require pipeline operators across the country to equip their lines with automatic shut-off valves, a technology that could have significantly reduced the devastation of the lethal San Bruno pipeline explosion.

The bill also would require pipeline operators to tell homeowners whether they live near high-pressure gas mains.

Speier unveiled the legislation, which is to be introduced today, while standing in front of the crater left by the explosion.

"We have an aging natural gas pipeline running through our communities," said Speier, flanked by San Bruno's police and fire chiefs as well as the vice mayor. "Are the lines too old; are they safe?" California Sens. Dianne Feinstein and Barbara Boxer have introduced a similar bill in the U.S. Senate.

Following the explosion earlier this month, PG&E workers had to manually shut off the flow of gas to the 30-inch transmission line, a process the utility has said took an hour and 46 minutes. PG&E workers turned cranks by hand on the valves, one of which was located under a manhole and the other in a locked building, each roughly a mile from the explosion site.

San Bruno and Millbrae Fire Chief Dennis Haag said Monday that stopping the flow of gas earlier would have reduced the amount of damage from the searing heat.

"Without that fuel source, we could have made an offensive attack much sooner that we did," Haag said. "We were in defensive mode until the shut-off was completed."

PG&E officials told Speier's staff Monday that there are 20 manual valves on Line 132, which runs from Milpitas to San Francisco. It can cost up to \$250,000 to install an automatic shut-off valve on an existing line. An automatic shut-off valve closes when gas pressure changes significantly.

A PG&E spokesman said Monday that the company already has hundreds of automatic shut-off valves in its pipelines, and PG&E officials told Speier's staff that there are nine on its gas mains in San Francisco and San Mateo counties. He added that the utility has replaced some manual valves with automatic ones.

A similar type of valve, known as a remote shut-off valve, can be closed by an operator pushing a button miles away. It was not clear Monday how many automatic and remote valves are located in other Bay Area counties.

"We continue to meet with government officials, and we share their desire to find ways tragedies such as this one can be prevented in the future," PG&E spokesman Matt Nauman said. "As we all look for answers about whether or not this could have been prevented, we do want to share our learnings with other pipeline operators."

If Speier's bill becomes law, within two years utilities would have to notify people who live within 2,000 feet of a gas transmission line of the location of that line. The companies also would be required to install automatic or remote shut-off valves on all new natural gas transmission pipelines, and within two years on all pipelines within 10 miles of a high-risk earthquake fault, like the San Andreas or Hayward faults. Within five years, such valves would be required on natural gas transmission lines in all highly populated areas.

Under the legislation, utilities also would have to internally inspect their pipelines, using devices that are known in the industry as "smart pigs." The companies would have to do the inspections every five years, and, according to Speier's bill, "if that is not possible, they are prohibited from operating the pipeline at high pressure."

Because the line in San Bruno is of different sizes and contains some bends, that type of inspection was not possible. Speier said the line that blew up should be removed from the neighborhood.

Speier said she looks forward to working with Feinstein and Boxer, whose legislation would double the number of federal pipeline inspectors, bump up the penalties for pipeline safety violations and require automatic shut-off valves.

However, Speier said the Senate bill requires the valves only if they are "economically and technologically feasible."

"I don't think economics should play a role in this any longer," she added.

The bill may encounter opposition from the oil, gas and pipeline industries in Congress.

In testimony Thursday before the House Commerce Committee, Andrew Black, president of the Association of Oil Pipelines, said pipelines are the safest way to transport hazardous liquids and that lawmakers shouldn't rush to write new rules.

"We believe Congress should think carefully about the consequences of overhauling a regulatory model that is driving down the number of releases and incidents from pipelines," Black said, adding that the cause of the San Bruno explosion hasn't yet been determined.

Contact Joshua Melvin at 650-348-4335.

Attachment D

**Copy of FCC complaint acknowledgement letter dated 9/28/10
from FCC**

[See separate document]

Verification

I am an officer of the Applicant Corporation herein, and am authorized to make this verification on its behalf. The statements in the foregoing document are true of my own knowledge, except matters, which are therein stated on information and belief, and as to those matters I believe them to be true.

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

Executed on this 5th day of October 2010, at San Francisco, California.



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Certificate of Service

I hereby certify that I have this day served the foregoing document “*CALifornians for Renewable Energy, Inc. (CARE) Notice of ExParte Communication*” under CPUC Application 10-09-012. Each person designated on the official service list, has been provided a copy via e-mail, to all persons on the attached service list on October 11, 2010, for the proceedings, Application 10-09-012, with a copy to the A05-06-028 Service List, transmitting the copies via e-mail to all parties who have provided an e-mail address. First class mail will be used if electronic service cannot be effectuated.

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

Executed on this 11th day of October 2010, at Soquel, California.



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