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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Investigation on the Commission's Own Motion into the Operations and Practices of Pacific Gas and Electric Company, Regarding the Gas Explosion and Fire on December 24, 2008 in Rancho Cordova, California.

Investigation 10-11-013
(Filed November 19, 2010)

**ADMINISTRATIVE LAW JUDGE'S RULING
REGARDING FEBRUARY 4, 2011 LETTER REQUEST**

On December 10, 2010, Pacific Gas and Electric Company (PG&E) filed a motion in this proceeding to extend the deadlines set forth in the Order Instituting Investigation (OII) into the Rancho Cordova gas explosion and fire. In a December 17, 2010 e-mail ruling, and a December 23, 2010 ruling of the assigned Commissioner and Administrative Law Judge (ALJ) confirming the e-mail ruling (December 23, 2010 ruling), PG&E's motion to extend the deadlines was granted, but the March 17, 2011 date that PG&E had requested for the production of certain information was shortened to February 17, 2011. Accordingly, the dates established by the December 23, 2010 ruling for providing the information requested in the OII are as follows:

Item A	December 17, 2010
Items B-E, L	Rolling production, beginning on December 17, 2010, with the information most recent and most pertinent to Rancho Cordova, and continuing until completion on or before February 17, 2011. (Names and titles of people preparing data response will be provided contemporaneously as part of each data response.)
Item F	February 17, 2011
Items G-L, M.2	February 17, 2011. (Names and titles of people preparing each portion of the report and witnesses to the information provided therein will be specified for each portion of the report.)

On February 4, 2011, PG&E sent a letter to the undersigned requesting an order that limits the scope of production and distribution of certain documents that were ordered by the OII in the timeframe established by the December 23, 2010 ruling. In Item F of the OII, PG&E is required to “Provide a summary of actions PG&E took between January 1, 2000, and December 23, 2008 to comply with each and all provisions and subsections of 49 CFR [Code of Federal Regulations] § 192.615.” The summary is to identify and describe the actions taken or procedures that were developed, and to identify and summarize each verbal and written communication that PG&E communicated to its employees concerning 49 CFR § 192.615. Item K of the OII requires PG&E to “Provide all documents that support or relate to the responses and information provided in the report.”

PG&E’s letter states that “There are two categories of responsive documents that are voluminous, and that PG&E believes are not relevant to the allegations against PG&E,” or is “tangentially relevant at best.” The first

category of documents is the maps and descriptions of the locations of PG&E's gas shut off valves, which is "highly sensitive information that could pose a public safety risk if disclosed publicly." The second category of documents relates to PG&E's training efforts. PG&E has met with the Commission's Consumer Protection and Safety Division (CPSD), which has agreed to the following production protocol that PG&E and CPSD "agree is reasonable and provides the information the Commission and its staff need."¹

For the first category of documents, CPSD agrees that for now, the Sacramento Division documents are sufficient to map PG&E's emergency plans in the Sacramento area, instead of producing documents for all seventeen gas divisions. Since these documents are voluminous and highly sensitive, instead of serving seven copies on the Commission as the December 23, 2010 ruling requires, CPSD is agreeable to having PG&E produce one copy of the Sacramento Division documents to CPSD under Public Utilities Code § 583, and that a copy will be made available to the Commissioners and the assigned ALJ upon request. PG&E's letter also states that at a later time CPSD will make a request of the ALJ and to PG&E "if CPSD wishes PG&E to produce the materials for the other sixteen gas divisions, and if CPSD seeks to move the Sacramento Division materials into evidence."

With respect to the second category of documents, PG&E generally has three types of training records. These consist of course materials, course rosters,

¹ PG&E's letter also states that a draft of this letter was presented to CPSD, and that "CPSD has authorized PG&E to state that CPSD does not object to a grant of PG&E's request, as long as it is understood that if CPSD believes in the future that any documents excluded from production should indeed be produced, CPSD has not waived its right to again seek discovery of the documents or information."

and individual employee assessments. Since the OII allegations concern only the Sacramento Division, CPSD agrees that PG&E should produce the following documents: “(1) company-wide course materials; (2) any course materials unique to a particular division; (3) course rosters for the Sacramento Division, for PG&E’s two call centers and Customer Field Service (CFS) dispatch centers; and (4) individual employee assessments for the Sacramento Division, for PG&E’s two call centers and CFS dispatch centers.” Since items (3) and (4) contain personal information, only one copy of items (3) and (4) will be produced under Public Utilities Code § 583. CPSD will then decide later whether these documents should be moved into evidence.

PG&E requests that an order establishing the document production protocol as described in its letter, and as summarized above, be issued.

The OII and the December 23, 2010 ruling have been reviewed in light of PG&E’s February 4, 2011 letter request. To reduce the document production burden, and to obtain documents that are relevant to the issues set forth in the OII, while protecting the sensitive nature of those documents, PG&E’s letter request is granted as set forth below.

IT IS RULED that:

1. Pacific Gas and Electric Company’s February 4, 2011 letter requesting an order that limits the scope of production and distribution of certain documents as ordered in the Order Instituting Investigation issued on November 19, 2010, and in the December 23, 2010 Ruling of the Assigned Commissioner and Administrative Law Judge Confirming December 17, 2010, E-Mail Ruling, is granted as set forth below.

2. Pacific Gas and Electric Company (PG&E) shall not be required to produce maps and descriptions of the locations of gas shut-off valves for all seventeen of

