

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



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Order Instituting Investigation on the
Commission's Own Motion to Determine
Whether Pacific Gas and Electric Company and
PG&E Corporation's Organizational Culture and
Governance Prioritize Safety.

Investigation 15-08-019

**MOTION FOR PARTY STATUS OF TRUSTEE OF THE PG&E FIRE VICTIM TRUST
AND
REQUEST FOR EXPEDITED ACTION**

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July 31, 2020

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Pursuant to Rules 1.4 and 11.1(b) of the California Public Utilities Commission (“Commission”) Rules of Practice and Procedure, the Trustee of the PG&E Fire Victim Trust (the “Fire Victim Trust”) hereby moves for party status in the above-captioned proceeding.

Following the Northern California wildfires in 2015 to 2018, PG&E Corporation and Pacific Gas and Electric Company jointly filed for Chapter 11 bankruptcy protection in the United States Bankruptcy Court for the Northern District of California (the “Court”) on January 29, 2019 (In re PG&E Corporation and Pacific Gas and Electric Company, Bankruptcy Case No. 19-30088). The Debtors’ Plan of Reorganization under Chapter 11 of the United States Bankruptcy Code was confirmed by the Bankruptcy Court for the Northern District of California on June 20, 2020, Case No. 19-30088, Docket No. 8053 (“Plan of Reorganization” or “Plan”). This Commission approved the Plan of Reorganization in D. 20-05-053. The Plan became effective and the Fire Victim Trust was formed on July 1, 2020.¹

The Fire Victim Trust will evaluate, administer, process and resolve eligible claims arising from the 2015 Butte Fire, 2017 North Bay Fires, and 2018 Camp Fire. Under the direction of the Trustee, the Honorable John K. Trotter (Ret.), and Claims Administrator, Cathy Yanni, the Fire Victim Trust will review claims and compensate fire victims for both economic

¹ Information regarding the Fire Victims Trust is available at <https://www.firevictimtrust.com/Home.aspx>.

and non-economic damages caused by these fires, including destruction or damage to real estate and personal property, additional living expenses, lost wages, business losses, personal injury or death and related medical expenses, and emotional distress.

In accordance with the Plan of Reorganization, PG&E has now funded the Fire Victim Trust established to satisfy the claims of individual wildfire victims and others. As of the Effective Date of the Plan of Reorganization, July 1, 2020, the Fire Victim Trust received: \$5.4 billion in cash; PG&E Corporation common stock on the Plan effective date representing 22.19% of the outstanding common stock as of such date (subject to potential adjustments); plus certain other rights.²

The Trustee recognizes that this proceeding has been ongoing for several years, and it seeks to become a party late in this proceeding. However, the Fire Victim Trust only came into existence on July 1, 2020, barely a month ago. Accordingly, through this motion, the Trustee is timely and promptly seeking party status as soon as it was possible under the circumstances.

The Trustee's intervention will not unduly broaden the types of organizational and safety culture issues which are being considered in this proceeding. The Trustee seeks to intervene as a party in this proceeding only to comment on matters relating to how proposed actions could affect the value of the assets the Fire Victim Trust holds in the form of PG&E stock and, hence, the amount it has available to pay its beneficiaries, the fire victims.³

The Trustee is seeking party status at this time as a result of the Administrative Law Judge's ("ALJ") Ruling on Case Status filed in this docket on July 15, 2020. While the Trustee does not plan to file opening comments in response to this ruling, the Trustee would like to have party status so that it may file reply comments, if warranted. The ALJ has indicated that reply comments are due on August 13, 2020. Accordingly, concurrently with the filing of this motion,

² The Fire Victim Trust is scheduled to receive an additional \$1.35 billion in cash in two installments in 2021 and 2022. A \$700 million payment scheduled for 2022 will be accelerated if the Commission approves the securitization application PG&E filed on April 30, 2020, and is pending before the Commission in Docket A.20-04-023. Under the Plan, the Fire Victim Trust also received an assignment and transfer of certain other claims and causes of action of PG&E Corporation and Pacific Gas & Electric Company.

³ The Trustee is not seeking party status at this time in Docket No. I. 19-09-016, the proceeding relating to the Plan of Reorganization, because the ALJ's ruling suggests this proceeding is likely to be closed. If this docket is not closed, the Trustee may file a Motion for Party Status in that docket at a later time.

the Trustee is filing a “Motion to Shorten Time to Respond to Motion for Party Status of the PG&E Fire Victim Trust.” The Trustee seeks a shortened response time to this motion and expedited treatment of this motion for party status so that, if party status is granted, the Trustee will be afforded the opportunity to respond, if need be, to the opening comments filed on the ALJ’s Ruling on Case Status.

For the foregoing reasons, the Trustee requests that the Trustee be granted party status in this proceeding on an expedited basis.

Respectfully submitted,

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