

File No. 210193

Committee Item No. _____

Board Item No. 40

COMMITTEE/BOARD OF SUPERVISORS

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Committee: _____
Board of Supervisors Meeting

Date: _____
Date: March 2, 2021

Cmte Board

- Motion
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- Budget and Legislative Analyst Report
- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
- MOU
- Grant Information Form
- Grant Budget
- Subcontract Budget
- Contract/Agreement
- Award Letter
- Application
- Public Correspondence

OTHER

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Prepared by: Jocelyn Wong
Prepared by: _____

Date: February 26, 2021
Date: _____

1 [Joint Closed Session - Joint Special Meeting with the Public Utilities Commission - Existing
2 Litigation - Pacific Gas and Electric Company - March 23, 2021, at 4:30 p.m.]

3 **Motion that the Board of Supervisors convene in a closed session during a joint**
4 **special meeting with the San Francisco Public Utilities Commission being called on**
5 **March 23, 2021, at 4:30 p.m., pursuant to California Government Code, Section**
6 **54956.9(a), and San Francisco Administrative Code, Section 67.10(d)(1), for the purpose**
7 **of conferring with, or receiving advice from, the City Attorney regarding the following**
8 **existing litigation in which the City is a petitioner and Pacific Gas & Electric Company**
9 **is an adverse party: City and County of San Francisco v. Federal Energy Regulatory**
10 **Commission, (United States Court of Appeals, D. C. Circuit), No. 20-1313, petition for**
11 **review filed August 17, 2020, consolidated with No. 20-1458, petition for review filed**
12 **November 16, 2020; City and County of San Francisco v. Federal Energy Regulatory**
13 **Commission, (United States Court of Appeals, D. C. Circuit), No. 20-1084, petition for**
14 **review filed March 23, 2020; consolidated with No. 20-1297, petition for review filed**
15 **August 3, 2020; In re: PG&E Corporation and Pacific Gas & Electric Company, United**
16 **States Bankruptcy Court, Northern District of California, Case No. 19-30088-DM, filed**
17 **January 29, 2019; Federal Energy Regulatory Commission Case No. EL 19-38-000, filed**
18 **January 28, 2019; Federal Energy Regulatory Commission Case No. ER18-1482-000,**
19 **filed April 30, 2018; Federal Energy Regulatory Commission Case No. ER18-1102-000,**
20 **filed March 15, 2018; Federal Energy Regulatory Commission Case No. ER18-790-000,**
21 **filed, February 2, 2018; Federal Energy Regulatory Commission Case No. ER18-768-**
22 **000, filed January 31, 2018; Federal Energy Regulatory Commission Case No. ER18-**
23 **198-000, filed October 31, 2017; Federal Energy Regulatory Commission Case No.**
24 **ER17-2406-000, filed August 31, 2017; Federal Energy Regulatory Commission Case**
25 **No. ER17-2181-000, filed July 31, 2017; Federal Energy Regulatory Commission Case**

1 **No. ER17-2204, filed July 31, 2017; Federal Energy Regulatory Commission Case No.**
2 **ER17-1509-000, filed May 1, 2017; Federal Energy Regulatory Commission Case No.**
3 **ER17-910-000, filed January 31, 2017; Federal Energy Regulatory Commission Case No.**
4 **EL 15-3-000, filed October 10, 2014; Federal Energy Regulatory Commission Case No.**
5 **ER15-702-000, filed December 23, 2014; Federal Energy Regulatory Commission Case**
6 **No. ER15-703-000, filed December 23, 2014; Federal Energy Regulatory Commission**
7 **Case No. ER15-704-000, filed December 23, 2014; Federal Energy Regulatory**
8 **Commission Case No. ER15-705-000, filed December 23, 2014; Federal Energy**
9 **Regulatory Commission Case No. ER15-735-000, filed December 23, 2014; Federal**
10 **Energy Regulatory Commission Case No. ER 20-2878-000 et al, filed September 15,**
11 **2020; California Public Utilities Commission Case No. 1.15-08-019, filed February 25,**
12 **2015; California Public Utilities Commission Case No. R.18-10-007, filed October 25,**
13 **2018; California Public Utilities Commission Case No. R.19-01-006, filed January 10,**
14 **2019; and California Public Utilities Commission Case No. A.20-04-023, filed April 30,**
15 **2020.**

16 WHEREAS, The City and County of San Francisco is a party in each of the following
17 cases:

- 18 • City and County of San Francisco v. Federal Energy Regulatory Commission,
19 United States Court of Appeals (D. C. Circuit), No. 20-1313, petition for review filed
20 August 17, 2020, consolidated with No. 20-1458, petition for review filed November
21 16, 2020;
- 22 • City and County of San Francisco v. Federal Energy Regulatory Commission,
23 United States Court of Appeals (D. C. Circuit) No. 20-1084, petition for review filed
24 March 23, 2020; consolidated with No. 20-1297, petition for review filed August 3,
25 2020;

- 1 • In re: PG&E Corporation and Pacific Gas & Electric Company (United States
2 Bankruptcy Court, Northern District of California, Case No. 19-30088-DM, filed
3 January 29, 2019);
- 4 • City and County of San Francisco v. Pacific Gas & Electric Co. (Federal Energy
5 Regulatory Commission Case No. EL 19-38-000, filed January 28, 2019);
- 6 • Pacific Gas & Electric Company (Federal Energy Regulatory Commission,
7 Proposed revisions to the City and Country of San Francisco's Service Agreement
8 No. 275 under FERG Electric Tariff Volume No. 4, Case No. ER18-17 1482-000,
9 filed April 30, 2018);
- 10 • Pacific Gas & Electric Company (Federal Energy Regulatory Commission,
11 Proposed revisions to the City and Country of San Francisco's Service Agreement
12 No. 275 under FERG Electric Tariff Volume No. 4, Case No. ER18-21 1102-000,
13 filed March 15, 2018);
- 14 • Pacific Gas & Electric Company (Federal Energy Regulatory Commission,
15 Proposed revisions to the City and Country of San Francisco's Service Agreement
16 No. 275 under FERG Electric Tariff Volume No. 4, Case No. ER18-25 790-000,
17 filed, February 2, 2018);
- 18 • Pacific Gas & Electric Company (Federal Energy Regulatory Commission,
19 Proposed revisions to the City and Country of San Francisco's Service Agreement
20 No. 275 under FERC Electric Tariff Volume No. 4, Case No. ER18-768-000, filed
21 January 31, 2018);
- 22 • Pacific Gas & Electric Company (Federal Energy Regulatory Commission,
23 Proposed revisions to the City and Country of San Francisco's Service Agreement
24 No. 275 under FERC Electric Tariff Volume No. 4, Case No. ER18-198-000, filed
25 October 31, 2017);

- 1 • Pacific Gas & Electric Company (Federal Energy Regulatory Commission,
2 Proposed revisions to the City and County of San Francisco's Service Agreement
3 No. 275 under FERC Electric Tariff Volume No. 4, Case No. ER17-2406-000, filed
4 August 31, 2017);
- 5 • Pacific Gas & Electric Company (Federal Energy Regulatory Commission,
6 Proposed revisions to the City and County of San Francisco's Service Agreement
7 No. 275 under FERC Electric Tariff Volume No. 4, Case No. ER17-2181-000, filed
8 July 31, 2017);
- 9 • Pacific Gas & Electric Company (Federal Energy Regulatory Commission,
10 Proposed revisions to the City and County of San Francisco's Service Agreement
11 No. 275 under FERC Electric Tariff Volume No. 4, Case No. ER17-2204, filed July
12 31, 2017);
- 13 • Pacific Gas & Electric Company (Federal Energy Regulatory Commission,
14 Proposed revisions to the City and County of San Francisco's Service Agreement
15 No. 275 under FERC Electric Tariff Volume No. 4, Case No. ER17-1509-000, filed
16 May 1, 2017);
- 17 • Pacific Gas & Electric Company (Federal Energy Regulatory Commission,
18 Proposed revisions to the City and County of San Francisco's Service Agreement
19 No. 275 under FERC Electric Tariff Volume No. 4, Case No. ER17-910-000, filed
20 January 31, 2017);
- 21 • City and County of San Francisco v. Pacific Gas & Electric (Federal Energy
22 Regulatory Commission, Case No. EL 15-3-000, filed October 10, 2014);
- 23 • Pacific Gas & Electric (Federal Energy Regulatory Commission, Tariff Withdrawal
24 per 35.15: Notice of Termination of the 1987 CCSF Interconnection Agreement -
25

- 1 PG&E Rate Schedule FERC No. 114 to be effective June 30, 2015, Case No.
2 ER15-702-000, filed December 23, 2014);
- 3 • Pacific Gas & Electric (Federal Energy Regulatory Commission, Tariff Withdrawal
4 per 35.15: Notice of Termination of the CCSF Facilities Charge Agreement for
5 Moscone to be effective June 30, 2015, Case No. ER15-703-000, filed December
6 23, 2014);
 - 7 • Pacific Gas & Electric (Federal Energy Regulatory Commission, §205(d) rate filing
8 per 35.13(a)(2)(iii): City and County of San Francisco Wholesale Distribution Tariff
9 Replacement Agreements to be effective July 1, 2015, Case No. ER15-704-000,
10 filed December 23, 2014);
 - 11 • Pacific Gas & Electric (Federal Energy Regulatory Commission, §205(d) rate filing
12 per 35.13(a)(2)(iii): City and County of San Francisco Transmission Owner Tariff
13 Replacement Agreements to be effective July 1, 2015, Case No. ER15-705-000,
14 filed December 23, 2014);
 - 15 • Pacific Gas & Electric (Federal Energy Regulatory Commission, Notices of
16 Termination of Facilities Charge Agreements between Pacific Gas and Electric
17 Company and the City and County of San Francisco, Case No. ER15-735-000, filed
18 December 23, 2014);
 - 19 • Pacific Gas & Electric Company Proposed Rate and Non Rate Changes to the
20 Wholesale Distribution Tariff, FERC Electric Tariff Volume No. 4 and Related
21 Service Agreements for Wholesale Distribution Service (Federal Energy Regulaory
22 Commission, case No. ER 20-2878-000, et al, filed September 15, 2020);
 - 23 • Order Instituting Investigation on the Commission's Own Motion to Determine
24 Whether Pacific Gas and Electric Company and PG&E Corporation's Organizational
25

1 Culture and Governance Prioritize Safety (California Public Utilities Commission
2 Case No. 1.15-08-019, filed February 25, 2015);

- 3 • Order Instituting Rulemaking to Implement Electric Utility Wildfire Mitigation Plans
4 Pursuant to Senate Bill 901 (2018) (California Public Utilities Commission Case No.
5 R.18-10-007, filed October 25, 2018); and
- 6 • Order Instituting Rulemaking to Implement Public Utilities Code Section 451.2
7 Regarding Criteria and Methodology for Wildfire Cost Recovery Pursuant to Senate
8 Bill 901 (2018) (California Public Utilities Commission Case No. R.19-01-13 006,
9 filed January 10, 2019); and
- 10 • In the Matter of the Application of Pacific Gas and Electric Company for (1)
11 Administration of Stress Test Methodology Developed Pursuant to Public Utilities
12 Code Section 451.2(b) and (2) Determination That \$7.5 Billion of 2017 Catastrophic
13 Wildfire Costs and Expenses Are Stress Test Costs That May Be Financed Through
14 Issuance of Recovery Bonds Pursuant to Section 451.2(c) and Section 850 et seq.
15 (California Public Utilities Commission Case No. A. 20-04-023, filed April 30, 2020);
16 and

17 WHEREAS, California Government Code, Section 54956.9(a), and San Francisco
18 Administrative Code, Section 67.1 O(d)(1), allow the Board of Supervisors to convene in
19 closed session to confer with or receive advice from legal counsel regarding existing litigation;
20 now, therefore, be it

21 MOVED, That the Board of Supervisors shall convene on March 23, 2021, at 4:30 p.m.,
22 in a joint special meeting with the San Francisco Public Utilities Commission to hold a closed
23 session on existing litigation in which the City is a petitioner and Pacific Gas & Electric
24 Company is an adverse party; and, be it

25

1 FURTHER MOVED, That the Board of Supervisors convene in a joint closed session
2 with the San Francisco Public Utilities Commission, at this joint special meeting, and the City
3 Attorney's Office for the purpose of conferring with, or receiving advice from, the City Attorney
4 regarding this existing litigation.

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Introduction Form

By a Member of the Board of Supervisors or Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
2. Request for next printed agenda Without Reference to Committee.
3. Request for hearing on a subject matter at Committee.
4. Request for letter beginning : "Supervisor inquiries"
5. City Attorney Request.
6. Call File No. from Committee.
7. Budget Analyst request (attached written motion).
8. Substitute Legislation File No.
9. Reactivate File No.
10. Topic submitted for Mayoral Appearance before the BOS on

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission Youth Commission Ethics Commission
- Planning Commission Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.

Sponsor(s):

Subject:

The text is listed:

Motion that the Board of Supervisors convene in a closed session during a joint special meeting with the San Francisco Public Utilities Commission being called on March 23, 2021, pursuant to California Government Code, Section 54956.9(a), and San Francisco Administrative Code, Section 67.10(d)(1), for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing litigation in which the City is a petitioner and Pacific Gas & Electric Company is an adverse party: City and County of San Francisco v. Federal Energy Regulatory Commission, (United States Court of Appeals, D. C. Circuit), No. 20-1313, petition for review filed August 17, 2020, consolidated with No. 20-1458, petition for review filed November 16, 2020; City and County of San Francisco v. Federal Energy Regulatory Commission, (United States Court of Appeals, D. C. Circuit), No. 20-1084, petition for review filed March 23, 2020; consolidated with No. 20-1297, petition for review filed August 3, 2020; In re: PG&E Corporation and Pacific Gas & Electric Company, United States Bankruptcy Court, Northern District of California, Case No. 19-30088-DM, filed January 29, 2019; Federal Energy Regulatory Commission Case No. EL 19-38-000, filed January 28, 2019; Federal Energy Regulatory Commission Case No. ER18-1482-000, filed

April 30, 2018; Federal Energy Regulatory Commission Case No. ER18-1102-000, filed March 15, 2018; Federal Energy Regulatory Commission Case No. ER18-790-000, filed, February 2, 2018; Federal Energy Regulatory Commission Case No. ER18-768-000, filed January 31, 2018; Federal Energy Regulatory Commission Case No. ER18-198-000, filed October 31, 2017; Federal Energy Regulatory Commission Case No. ER17-2406-000, filed August 31, 2017; Federal Energy Regulatory Commission Case No. ER17-2181-000, filed July 31, 2017; Federal Energy Regulatory Commission Case No. ER17-2204, filed July 31, 2017; Federal Energy Regulatory Commission Case No. ER17-1509-000, filed May 1, 2017; Federal Energy Regulatory Commission Case No. ER17-910-000, filed January 31, 2017; Federal Energy Regulatory Commission Case No. EL 15-3-000, filed October 10, 2014; Federal Energy Regulatory Commission Case No. ER15-702-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-703-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-704-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-705-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-735-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER 20-2878-000 et al, filed September 15, 2020; California Public Utilities Commission Case No. 1.15-08-019, filed February 25, 2015; California Public Utilities Commission Case No. R.18-10-007, filed October 25, 2018; California Public Utilities Commission Case No. R.19-01-006, filed January 10, 2019; and California Public Utilities Commission Case No. A.20-04-023, filed April 30, 2020.

Signature of Sponsoring Supervisor:

For Clerk's Use Only