

1 [Closed Session - Existing Litigation - Pacific Gas and Electric Company]

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3 **Motion that the Board of Supervisors convene in closed session on February 24, 2015,**
4 **pursuant to California Government Code, Section 54956.9(a), and San Francisco**
5 **Administrative Code, Section 67.10(d)(1), for the purpose of conferring with, or**
6 **receiving advice from, the City Attorney regarding the following existing litigation in**
7 **which the City is a plaintiff, defendant, and petitioner and Pacific Gas and Electric**
8 **Company is an adverse party: San Francisco Superior Court Case No. CGC-13-529309,**
9 **filed March 6, 2013; San Francisco Superior Court Case No. CGC-13-529310, filed June**
10 **6, 2013; California Court of Appeal, First Appellate District, Case No. A127554, filed**
11 **January 29, 2010; Federal Energy Regulatory Commission Case No. EL15-3-000, filed**
12 **October 10, 2014; Federal Energy Regulatory Commission Case No. ER15-702-000, filed**
13 **December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-703-000,**
14 **filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-704-**
15 **000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-**
16 **705-000, filed December 23, 2014; and Federal Energy Regulatory Commission Case**
17 **No. ER15-735-000, filed December 23, 2014.**

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

- 21 • *City and County of San Francisco v. Pacific Gas & Electric Company* (San Francisco
22 Superior Court Case No. CGC-13-529309, filed March 6, 2013);
- 23 • *City and County of San Francisco v. Pacific Gas & Electric Company* (San Francisco
24 Superior Court Case No. CGC-13-529310, filed June 6, 2013);

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- 1 • *Pacific Gas & Electric Company v. City and County of San Francisco* (Court of Appeal
2 of the State of California, First Appellate District, Case No. A127554, filed January 29,
3 2010);
- 4 • *City and County of San Francisco v. Pacific Gas & Electric* (Federal Energy
5 Regulatory Commission, Case No. EL15-3-000, filed October 10, 2014);
- 6 • *Pacific Gas & Electric* (Federal Energy Regulatory Commission, Tariff Withdrawal per
7 35.15: Notice of Termination of the 1987 CCSF Interconnection Agreement – PG&E
8 Rate Schedule FERC No. 114 to be effective June 30, 2015, Case No. ER15-702-000,
9 filed December 23, 2014);
- 10 • *Pacific Gas & Electric* (Federal Energy Regulatory Commission, Tariff Withdrawal per
11 35.15: Notice of Termination of the CCSF Facilities Charge Agreement for Moscone
12 to be effective June 30, 2015, Case No. ER15-703-000, filed December 23, 2014);
- 13 • *Pacific Gas & Electric* (Federal Energy Regulatory Commission, §205(d) rate filing per
14 35.13(a)(2)(iii): City and County of San Francisco Wholesale Distribution Tariff
15 Replacement Agreements to be effective July 1, 2015, Case No. ER15-704-000, filed
16 December 23, 2014);
- 17 • *Pacific Gas & Electric* (Federal Energy Regulatory Commission, §205(d) rate filing per
18 35.13(a)(2)(iii): City and County of San Francisco Transmission Owner Tariff
19 Replacement Agreements to be effective July 1, 2015, Case No. ER15-705-000, filed
20 December 23, 2014); and
- 21 • *Pacific Gas & Electric* (Federal Energy Regulatory Commission, Notices of
22 Termination of Facilities Charge Agreements between Pacific Gas and Electric
23 Company and the City and County of San Francisco, Case No. ER15-735-000, filed
24 December 23, 2014); and
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1 WHEREAS, California Government Code Section 54956.9(a) and San Francisco
2 Administrative Code Section 67.10(d)(1) allow the Board of Supervisors to convene in closed
3 session to confer with or receive advice from legal counsel regarding existing litigation; now,
4 therefore, be it

5 MOVED, That the Board of Supervisors convene in closed session on February 24,
6 2015 with the City Attorney's Office for the purpose of conferring with, or receiving advice
7 from, the City Attorney regarding this existing litigation.

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