

1 [Closed Session - Existing Litigation - Pacific Gas and Electric Company - April 9, 2019]

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3 **Motion that the Board of Supervisors convene in closed session on April 9, 2019,**
4 **at 4:00 p.m., pursuant to California Government Code, Section 54956.9(a), and San**
5 **Francisco Administrative Code, Section 67.10(d)(1), for the purpose of conferring with,**
6 **or receiving advice from, the City Attorney regarding the following existing litigation in**
7 **which the City is a petitioner and Pacific Gas & Electric Company is an adverse party:**

8 **In re: PG&E Corporation and Pacific Gas & Electric Company, United States**

9 **Bankruptcy Court, Northern District of California, Case No. 19-30088-DM, filed**

10 **January 29, 2019; Federal Energy Regulatory Commission Case No. EL19-38-000, filed**

11 **January 28, 2019; Federal Energy Regulatory Commission Case No. ER18-1482-000,**

12 **filed April 30, 2018; Federal Energy Regulatory Commission Case No. ER18-1102-000,**

13 **filed March 15, 2018; Federal Energy Regulatory Commission Case No. ER18-790-000,**

14 **filed, February 2, 2018; Federal Energy Regulatory Commission Case**

15 **No. ER18-768-000, filed January 31, 2018; Federal Energy Regulatory Commission Case**

16 **No. ER18-198-000, filed October 31, 2017; Federal Energy Regulatory Commission Case**

17 **No. ER17-2406-000, filed August 31, 2017; Federal Energy Regulatory Commission**

18 **Case No. ER17-2181-000, filed July 31, 2017; Federal Energy Regulatory Commission**

19 **Case No. ER17-2204, filed July 31, 2017; Federal Energy Regulatory Commission Case**

20 **No. ER17-1509-000, filed May 1, 2017; Federal Energy Regulatory Commission Case**

21 **No. ER17-910-000, filed January 31, 2017; Federal Energy Regulatory Commission Case**

22 **No. EL15-3-000, filed October 10, 2014; Federal Energy Regulatory Commission Case**

23 **No. ER15-702-000, filed December 23, 2014; Federal Energy Regulatory Commission**

24 **Case No. ER15-703-000, filed December 23, 2014; Federal Energy Regulatory**

1 Commission Case No. ER15-704-000, filed December 23, 2014; Federal Energy
2 Regulatory Commission Case No. ER15-705-000, filed December 23, 2014; Federal
3 Energy Regulatory Commission Case No. ER15-735-000, filed December 23, 2014;
4 California Public Utilities Commission Case No. I.15-08-019, filed February 25, 2015;
5 California Public Utilities Commission Case No. R.18-10-007, filed October 25, 2018;
6 and California Public Utilities Commission Case No. R.19-01-006, filed
7 January 10, 2019.

8
9 WHEREAS, The City and County of San Francisco is a party in each of the following
10 cases:

- 11 • *In re: PG&E Corporation and Pacific Gas & Electric Company* (United States
12 Bankruptcy Court, Northern District of California, Case No. 19-30088-DM, filed
13 January 29, 2019);
- 14 • *City and County of San Francisco v. Pacific Gas & Electric Co.* (Federal Energy
15 Regulatory Commission Case No. EL19-38-000, filed January 28, 2019);
- 16 • *Pacific Gas & Electric Company* (Federal Energy Regulatory Commission,
17 Proposed revisions to the City and Country of San Francisco's Service
18 Agreement No. 275 under FERC Electric Tariff Volume No. 4, Case No. ER18-
19 1482-000, filed April 30, 2018);
- 20 • *Pacific Gas & Electric Company* (Federal Energy Regulatory Commission,
21 Proposed revisions to the City and Country of San Francisco's Service
22 Agreement No. 275 under FERC Electric Tariff Volume No. 4, Case No. ER18-
23 1102-000, filed March 15, 2018);
- 24 • *Pacific Gas & Electric Company* (Federal Energy Regulatory Commission,
25 Proposed revisions to the City and Country of San Francisco's Service

1 Agreement No. 275 under FERC Electric Tariff Volume No. 4, Case No. ER18-
2 790-000, filed, February 2, 2018);

3 • *Pacific Gas & Electric Company* (Federal Energy Regulatory Commission,
4 Proposed revisions to the City and Country of San Francisco's Service
5 Agreement No. 275 under FERC Electric Tariff Volume No. 4, Case No. ER18-
6 768-000, filed January 31, 2018);

7 • *Pacific Gas & Electric Company* (Federal Energy Regulatory Commission,
8 Proposed revisions to the City and Country of San Francisco's Service
9 Agreement No. 275 under FERC Electric Tariff Volume No. 4, Case No. ER18-
10 198-000, filed October 31, 2017);

11 • *Pacific Gas & Electric Company* (Federal Energy Regulatory Commission,
12 Proposed revisions to the City and Country of San Francisco's Service
13 Agreement No. 275 under FERC Electric Tariff Volume No. 4, Case No. ER17-
14 2406-000, filed August 31, 2017);

15 • *Pacific Gas & Electric Company* (Federal Energy Regulatory Commission,
16 Proposed revisions to the City and Country of San Francisco's Service
17 Agreement No. 275 under FERC Electric Tariff Volume No. 4, Case No. ER17-
18 2181-000, filed July 31, 2017);

19 • *Pacific Gas & Electric Company* (Federal Energy Regulatory Commission,
20 Proposed revisions to the City and Country of San Francisco's Service
21 Agreement No. 275 under FERC Electric Tariff Volume No. 4, Case No. ER17-
22 2204, filed July 31, 2017);

23 • *Pacific Gas & Electric Company* (Federal Energy Regulatory Commission,
24 Proposed revisions to the City and Country of San Francisco's Service
25

1 Agreement No. 275 under FERC Electric Tariff Volume No. 4, Case No. ER17-
2 1509-000, filed May 1, 2017);

- 3 • *Pacific Gas & Electric Company* (Federal Energy Regulatory Commission,
4 Proposed revisions to the City and County of San Francisco's Service
5 Agreement No. 275 under FERC Electric Tariff Volume No. 4, Case No. ER17-
6 910-000, filed January 31, 2017);
- 7 • *City and County of San Francisco v. Pacific Gas & Electric* (Federal Energy
8 Regulatory Commission, Case No. EL15-3-000, filed October 10, 2014);
- 9 • *Pacific Gas & Electric* (Federal Energy Regulatory Commission, Tariff
10 Withdrawal per 35.15: Notice of Termination of the 1987 CCSF Interconnection
11 Agreement – PG&E Rate Schedule FERC No. 114 to be effective June 30,
12 2015, Case No. ER15-702-000, filed December 23, 2014);
- 13 • *Pacific Gas & Electric* (Federal Energy Regulatory Commission, Tariff
14 Withdrawal per 35.15: Notice of Termination of the CCSF Facilities Charge
15 Agreement for Moscone to be effective June 30, 2015, Case No. ER15-703-000,
16 filed December 23, 2014);
- 17 • *Pacific Gas & Electric* (Federal Energy Regulatory Commission, §205(d) rate
18 filing per 35.13(a)(2)(iii): City and County of San Francisco Wholesale
19 Distribution Tariff Replacement Agreements to be effective July 1, 2015, Case
20 No. ER15-704-000, filed December 23, 2014);
- 21 • *Pacific Gas & Electric* (Federal Energy Regulatory Commission, §205(d) rate
22 filing per 35.13(a)(2)(iii): City and County of San Francisco Transmission Owner
23 Tariff Replacement Agreements to be effective July 1, 2015, Case No. ER15-
24 705-000, filed December 23, 2014);

- 1 • *Pacific Gas & Electric* (Federal Energy Regulatory Commission, Notices of
2 Termination of Facilities Charge Agreements between Pacific Gas and Electric
3 Company and the City and County of San Francisco, Case No. ER15-735-000,
4 filed December 23, 2014);
- 5 • *Order Instituting Investigation on the Commission's Own Motion to Determine*
6 *Whether Pacific Gas and Electric Company and PG&E Corporation's*
7 *Organizational Culture and Governance Prioritize Safety* (California Public
8 Utilities Commission Case No. I.15-08-019, filed February 25, 2015);
- 9 • *Order Instituting Rulemaking to Implement Electric Utility Wildfire Mitigation*
10 *Plans Pursuant to Senate Bill 901 (2018)* (California Public Utilities Commission
11 Case No. R.18-10-007, filed October 25, 2018); and
- 12 • *Order Instituting Rulemaking to Implement Public Utilities Code Section 451.2*
13 *Regarding Criteria and Methodology for Wildfire Cost Recovery Pursuant to*
14 *Senate Bill 901 (2018)* (California Public Utilities Commission Case No. R.19-01-
15 006, filed January 10, 2019); and

16 WHEREAS, California Government Code, Section 54956.9(a) and San Francisco
17 Administrative Code, Section 67.10(d)(1) allow the Board of Supervisors to convene in closed
18 session to confer with or receive advice from legal counsel regarding existing litigation;
19 now, therefore, be it

20 MOVED, That the Board of Supervisors convene in closed session on April 9, 2019,
21 at 4:00 p.m. with the City Attorney's Office for the purpose of conferring with, or receiving
22 advice from, the City Attorney regarding this existing litigation.
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24
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City and County of San Francisco

Tails

Motion: M19-062

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 190341

Date Passed: April 02, 2019

Motion that the Board of Supervisors convene in closed session on April 9, 2019, at 4:00 p.m., 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: 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. EL19-38-000, 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. EL15-3-000, 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; California Public Utilities Commission Case No. I.15-08-019, filed February 25, 2015; California Public Utilities Commission Case No. R.18-10-007, filed October 25, 2018; and California Public Utilities Commission Case No. R.19-01-006, filed January 10, 2019.

April 02, 2019 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton and Yee

April 02, 2019 Board of Supervisors - APPROVED AS AMENDED

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton and Yee

File No. 190341

I hereby certify that the foregoing Motion
was APPROVED AS AMENDED on 4/2/2019
by the Board of Supervisors of the City and
County of San Francisco.



Angela Calvillo
Clerk of the Board