

1 [Settlement of City Claim Against PG&E.]

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3 **Ordinance approving the settlement of a claim asserted by the City and County of San**
4 **Francisco against Pacific Gas & Electric Company in the bankruptcy proceeding**
5 **entitled *In Re Pacific Gas & Electric Company*, United States Bankruptcy Court,**
6 **Northern District of California, Case No. 01-30923-DM.**

7 Note: Additions are single-underline italics Times New Roman;
8 deletions are ~~strikethrough italics Times New Roman~~.
9 Board amendment additions are double underlined.
Board amendment deletions are ~~strikethrough normal~~.

10 Be it ordained by the People of the City and County of San Francisco:

11 Section 1. The City Attorney and the General Manager of the Public Utilities
12 Commission (PUC) are hereby authorized to settle a claim filed by the City and County of San
13 Francisco (City) in the bankruptcy proceeding entitled *In Re Pacific Gas and Electric*
14 *Company*, United States Bankruptcy Court, Northern District of California, Case No. 01-
15 30923-DM (PG&E Bankruptcy). The terms and conditions of the settlement are set forth in
16 the Settlement Agreement on file with the Clerk of the Board of Supervisors in File No.
17 071256, which is hereby declared to be part of this ordinance as if set forth fully herein. The
18 City Attorney and the General Manager of the PUC are authorized to execute any documents
19 that are necessary to effectuate this settlement.

20 Section 2. The City has already entered into several agreements to resolve claims
21 related to the PG&E Bankruptcy. In Ordinance Nos. 76-05, 119-05, and 39-06 the Board of
22 Supervisors approved such settlements. This settlement will resolve the only remaining claim
23 between the City and PG&E in the PG&E Bankruptcy case. This claim is for emergency
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1 services provided by the PUC to support the electric transmission grid during the California
2 energy crisis of 2000-2001.

3 Section 3. As part of the settlement, PG&E will pay the City \$1,256,079.88 to satisfy
4 the PUC emergency power claim. Funds received by the City from this settlement shall be
5 appropriated to PUC.

6 Section 4. As part of the settlement, the City will return to PG&E the sum of
7 \$183,687.70, to reconcile the amount of post-bankruptcy interest PG&E paid to the City with
8 the amount actually due on the City's claims.

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10 RECOMMENDED:

FUNDS AVAILABLE:

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12 _____
13 SUSAN LEAL
14 General Manager
PUBLIC UTILITIES COMMISSION

12 _____
13 EDWARD HARRINGTON
14 Controller

15 APPROVED AS TO FORM AND
16 RECOMMENDED:

17 DENNIS J. HERRERA, City Attorney

18
19 _____
20 THERESA L. MUELLER
21 Deputy City Attorney