

1 [Closed Session - Existing Litigation - Pacific Gas and Electric Company - September 3, 2019]

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3 **Motion that the Board of Supervisors convene in closed session on September 3, 2019,**

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 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**

25 **Commission Case No. ER15-704-000, filed December 23, 2014; Federal Energy**

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

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

- 9 • *In re: PG&E Corporation and Pacific Gas & Electric Company* (United States
10 Bankruptcy Court, Northern District of California, Case No. 19-30088-DM, filed
11 January 29, 2019);
- 12 • *City and County of San Francisco v. Pacific Gas & Electric Co.* (Federal Energy
13 Regulatory Commission Case No. EL19-38-000, filed January 28, 2019);
- 14 • *Pacific Gas & Electric Company* (Federal Energy Regulatory Commission,
15 Proposed revisions to the City and Country of San Francisco's Service
16 Agreement No. 275 under FERC Electric Tariff Volume No. 4, Case No. ER18-
17 1482-000, filed April 30, 2018);
- 18 • *Pacific Gas & Electric Company* (Federal Energy Regulatory Commission,
19 Proposed revisions to the City and Country of San Francisco's Service
20 Agreement No. 275 under FERC Electric Tariff Volume No. 4, Case No. ER18-
21 1102-000, filed March 15, 2018);
- 22 • *Pacific Gas & Electric Company* (Federal Energy Regulatory Commission,
23 Proposed revisions to the City and Country of San Francisco's Service
24 Agreement No. 275 under FERC Electric Tariff Volume No. 4, Case No. ER18-
25 790-000, filed, February 2, 2018);

- 1 • *Pacific Gas & Electric Company* (Federal Energy Regulatory Commission,
2 Proposed revisions to the City and Country of San Francisco’s Service
3 Agreement No. 275 under FERC Electric Tariff Volume No. 4, Case No. ER18-
4 768-000, filed January 31, 2018);
- 5 • *Pacific Gas & Electric Company* (Federal Energy Regulatory Commission,
6 Proposed revisions to the City and Country of San Francisco’s Service
7 Agreement No. 275 under FERC Electric Tariff Volume No. 4, Case No. ER18-
8 198-000, filed October 31, 2017);
- 9 • *Pacific Gas & Electric Company* (Federal Energy Regulatory Commission,
10 Proposed revisions to the City and Country of San Francisco’s Service
11 Agreement No. 275 under FERC Electric Tariff Volume No. 4, Case No. ER17-
12 2406-000, filed August 31, 2017);
- 13 • *Pacific Gas & Electric Company* (Federal Energy Regulatory Commission,
14 Proposed revisions to the City and Country of San Francisco’s Service
15 Agreement No. 275 under FERC Electric Tariff Volume No. 4, Case No. ER17-
16 2181-000, filed July 31, 2017);
- 17 • *Pacific Gas & Electric Company* (Federal Energy Regulatory Commission,
18 Proposed revisions to the City and Country of San Francisco’s Service
19 Agreement No. 275 under FERC Electric Tariff Volume No. 4, Case No. ER17-
20 2204, filed July 31, 2017);
- 21 • *Pacific Gas & Electric Company* (Federal Energy Regulatory Commission,
22 Proposed revisions to the City and Country of San Francisco’s Service
23 Agreement No. 275 under FERC Electric Tariff Volume No. 4, Case No. ER17-
24 1509-000, filed May 1, 2017);
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- 1 • *Pacific Gas & Electric Company* (Federal Energy Regulatory Commission,
2 Proposed revisions to the City and County of San Francisco’s Service
3 Agreement No. 275 under FERC Electric Tariff Volume No. 4, Case No. ER17-
4 910-000, filed January 31, 2017);
- 5 • *City and County of San Francisco v. Pacific Gas & Electric* (Federal Energy
6 Regulatory Commission, Case No. EL15-3-000, filed October 10, 2014);
- 7 • *Pacific Gas & Electric* (Federal Energy Regulatory Commission, Tariff
8 Withdrawal per 35.15: Notice of Termination of the 1987 CCSF Interconnection
9 Agreement – PG&E Rate Schedule FERC No. 114 to be effective June 30,
10 2015, Case No. ER15-702-000, filed December 23, 2014);
- 11 • *Pacific Gas & Electric* (Federal Energy Regulatory Commission, Tariff
12 Withdrawal per 35.15: Notice of Termination of the CCSF Facilities Charge
13 Agreement for Moscone to be effective June 30, 2015, Case No. ER15-703-000,
14 filed December 23, 2014);
- 15 • *Pacific Gas & Electric* (Federal Energy Regulatory Commission, §205(d) rate
16 filing per 35.13(a)(2)(iii): City and County of San Francisco Wholesale
17 Distribution Tariff Replacement Agreements to be effective July 1, 2015, Case
18 No. ER15-704-000, filed December 23, 2014);
- 19 • *Pacific Gas & Electric* (Federal Energy Regulatory Commission, §205(d) rate
20 filing per 35.13(a)(2)(iii): City and County of San Francisco Transmission Owner
21 Tariff Replacement Agreements to be effective July 1, 2015, Case No. ER15-
22 705-000, filed December 23, 2014);
- 23 • *Pacific Gas & Electric* (Federal Energy Regulatory Commission, Notices of
24 Termination of Facilities Charge Agreements between Pacific Gas and Electric
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1 Company and the City and County of San Francisco, Case No. ER15-735-000,
2 filed December 23, 2014);

- 3 • *Order Instituting Investigation on the Commission’s Own Motion to Determine*
4 *Whether Pacific Gas and Electric Company and PG&E Corporation’s*
5 *Organizational Culture and Governance Prioritize Safety* (California Public
6 Utilities Commission Case No. I.15-08-019, filed February 25, 2015);
- 7 • *Order Instituting Rulemaking to Implement Electric Utility Wildfire Mitigation*
8 *Plans Pursuant to Senate Bill 901 (2018)* (California Public Utilities Commission
9 Case No. R.18-10-007, filed October 25, 2018); and
- 10 • *Order Instituting Rulemaking to Implement Public Utilities Code Section 451.2*
11 *Regarding Criteria and Methodology for Wildfire Cost Recovery Pursuant to*
12 *Senate Bill 901 (2018)* (California Public Utilities Commission Case No. R.19-01-
13 006, filed January 10, 2019); and

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

18 MOVED, That the Board of Supervisors convene in closed session on
19 September 3, 2019, with the City Attorney’s Office for the purpose of conferring with, or
20 receiving advice from, the City Attorney regarding this existing litigation.