

File No. 150154

Committee Item No. _____

Board Item No. 33

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: _____
Board of Supervisors Meeting

Date _____
Date February 24, 2015

Cmte Board

- | | | |
|--------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Introduction Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
| <input type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |

OTHER (Use back side if additional space is needed)

| | | |
|--------------------------|--------------------------|-------|
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
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| <input type="checkbox"/> | <input type="checkbox"/> | _____ |

Completed by: John Carroll Date February 19, 2015
Completed by: _____ Date _____

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

2
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.**

18
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);

- 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
25

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.

Introduction Form

By a Member of the Board of Supervisors or the 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 [] inquires"
- 5. City Attorney request.
- 6. Call File No. [] from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No. []
- 9. Reactivate File No. []
- 10. Question(s) 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 a Imperative Form.

Sponsor(s):

Breed

Subject:

Closed session - Existing Litigation - Pacific Gas and Electric Company

The text is listed below or attached:

Motion that the Board of Supervisors convene in closed session on February 24, 2015 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 plaintiff, defendant, and petitioner and Pacific Gas & Electric Company is an adverse party: San Francisco Superior Court Case No. CGC-13-529309, filed March 6, 2013; San Francisco Superior Court Case No. CGC-13-529310, filed June 6, 2013; California Court of Appeal, First Appellate District, Case No. A127554, filed January 29, 2010; 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; and Federal Energy Regulatory Commission Case No. ER15-735-000, filed December 23, 2014.

Signature, Sponsoring Supervisor:

London Breed

For Clerk's Use Only: