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24 April 2013
For Immediate Release:

Demand for Removal of CPUC President and Commissioner from Event with PG&E

Illegal Communication Between Regulator and PG&E Harms Fairness of CPUC Decision, Penalty in San Bruno Blast and Fire, City Says in CPUC Legal Filing

San Francisco—The City of San Bruno today filed a legal motion demanding CPUC President Michael Peevey and Commissioner Michel Florio recuse themselves from an upcoming “safety” event featuring PG&E executives, noting it is illegal and unethical for the regulatory agency to participate when it will stand in judgment of the utility and fine it for the Sept. 9, 2010 explosion and fire in San Bruno that killed eight, injured 60, destroyed 38 homes and damaged scores more. The safety symposium will focus on the same subject matter that is at issue in the CPUC investigations: natural gas safety and emergency response.

The California Public Utilities Commission Safety Symposium featuring PG&E is scheduled for May 7-8 in San Francisco to “explore solutions to safety within California’s utility services and infrastructure sectors” and “will focus on natural gas safety issues,” according to the invitation.

Among the scheduled speakers and panelists are PG&E President Chris Johns, PG&E SVP of Gas Operations Nick Stavropoulos, CPUC President Michael Peevey, CPUC Commissioner Michel Florio, CPUC Executive Director Paul Clanon, and CPUC Safety Director Jack Hagan.

“This is like the defendant in a criminal case taking the judge to play golf together before the judge rules on his case and his penalty,” said attorney Steven Meyers of the Meyers Nave law firm, representing the City of San Bruno.

The legal filing cites the symposium for being an illegal ‘ex-parte’ contact between the regulator (CPUC) and defendant (PG&E) at a critical time in the CPUC hearing process in the San Bruno explosion and fire case. The filing says “the participation of the defendant and the judges... (is) a violation of the law” and calls it “unethical and inappropriate.”

“On its face, the PG&E-CPUC Safety Symposium appears to be a step forward in promoting natural gas safety,” San Bruno’s filing says.

“However, upon further scrutiny, this Safety Symposium is nothing but a forum for PG&E to put on a dog and pony show in front of two out of the five Commission decision-makers charged with determining the fines and penalties warranted by PG&E’s past misconduct, right in the middle of unprecedented and high-profile CPUC investigations into PG&E’s deficient management and operation of its natural gas system.”

In conclusion, the filing says “San Bruno urges the CPUC to demonstrate to the intervenors in these proceedings, the residents of San Bruno, and to the public at large that its commitment to accountability is more than mere posturing, and to do so in these cases that are gravely important to the residents of San Bruno and the ratepayers of the State of California. San Bruno has a strong and vested interest in a CPUC process that follows the rules. San Bruno has participated in these proceedings in good faith for over two years in reliance on the belief that a just, transparent, reasonable outcome which is in the public interest can be achieved. San Bruno cannot achieve this outcome when the very decision-makers that are determining PG&E’s fate will be in the same room with PG&E discussing natural gas safety in a forum other than the courtroom.”

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Link to the CPUC/PG&E Symposium Event: http://www.cpuc.ca.gov/NR/ronlyres/928E743D-B162-4C70-8199-7EB86ACD6EDA/0/AgendaforSafetySymposium_v3.pdf