

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

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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.**

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

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- *City and County of San Francisco v. Pacific Gas & Electric Company* (San Francisco Superior Court Case No. CGC-13-529309, filed March 6, 2013);
 - *City and County of San Francisco v. Pacific Gas & Electric Company* (San Francisco Superior Court Case No. CGC-13-529310, filed June 6, 2013);
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- 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
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WHEREAS, California Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10(d)(1) allow the Board of Supervisors to convene in closed session to confer with or receive advice from legal counsel regarding existing litigation; now, therefore, be it

MOVED, That the Board of Supervisors convene in closed session on February 24, 2015 with the City Attorney's Office for the purpose of conferring with, or receiving advice from, the City Attorney regarding this existing litigation.



City and County of San Francisco

Tails

Motion: M15-041

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

File Number: 150154

Date Passed: February 24, 2015

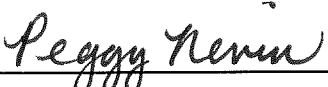
Motion that the Board of Supervisors convene in closed session on February 24, 2015, pursuant to California Government Code, Section 54956.9(a), and San Francisco Administrative Code, Section 67.10(d)(1), for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing litigation in which the City is a plaintiff, defendant, and petitioner and Pacific Gas and 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.

February 24, 2015 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 150154

I hereby certify that the foregoing Motion was APPROVED on 2/24/2015 by the Board of Supervisors of the City and County of San Francisco.


for Angela Calvillo
Clerk of the Board