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U.S. BANKRUPTCY COURT  
NORTHERN DIST. OF CA.  
SAN FRANCISCO, CA.

1 JAMES L. LOPES (No. 63678)  
JEFFREY L. SCHAFFER (No. 91404)  
2 JANET A. NEXON (No. 104747)  
WILLIAM J. LAFFERTY (No. 120814)  
3 HOWARD, RICE, NEMEROVSKI, CANADY,  
FALK & RABKIN  
4 A Professional Corporation  
Three Embarcadero Center, 7th Floor  
5 San Francisco, California 94111-4065  
Telephone: 415/434-1600  
6 Facsimile: 415/217-5910

7 Attorneys for Debtor and Debtor in Possession  
PACIFIC GAS and ELECTRIC COMPANY  
8

9 UNITED STATES BANKRUPTCY COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11 SAN FRANCISCO DIVISION

12 In re  
13 PACIFIC GAS and ELECTRIC  
COMPANY, a California corporation,  
14 Debtor.  
15 Federal I.D. No. 94-0742640

No. 01-30923 DM  
Chapter 11 Case  
Hearing: July 12, 2001  
Time: 10:00 a.m.  
Place: 235 Pine Street, 22nd Floor  
San Francisco, California

HOWARD  
RICE  
NEMEROVSKI  
CANADY  
FALK  
& RABKIN  
A Professional Corporation

17 ORDER APPROVING AMENDED APPLICATION FOR AUTHORITY  
18 TO EMPLOY AND TO CONTINUE THE EMPLOYMENT OF SPECIAL  
19 COUNSEL TO DEBTOR IN POSSESSION ON NON-BANKRUPTCY  
20 MATTERS, AND TO FILE INFORMATION CONCERNING HOURLY  
21 RATES OF PROPOSED COUNSEL UNDER SEAL (BANKRUPTCY  
22 CODE SECTION 107(B), FEDERAL RULE OF BANKRUPTCY  
PROCEDURE 9018)

23 The Amended Application for Authority to Employ, and to Continue the  
24 Employment of Special Counsel to Debtor in Possession on Non-Bankruptcy Matters, etc.  
25 (the "Amended Application") filed by Pacific Gas and Electric Company, the debtor and  
26 debtor in possession in the above-captioned case ("PG&E"), came for hearing on July 12,  
27 2001 at 10:00 a.m. in the Courtroom of the Honorable Dennis Montali, 235 Pine Street, 22  
28 Floor, San Francisco, California. William J. Lafferty of the law firm Howard, Rice,

1886

1 Nemerovski, Canady, Falk & Rabkin, A Professional Corporation, appeared for PG&E.  
2 Stephen Johnson of the Office of the United States Trustee ("UST") also appeared. Other  
3 appearances were as noted in the record.

4 The Court having considered the pleadings and other materials filed by PG&E in  
5 support of the Amended Application, including the "Application for Authority to Employ  
6 and to Continue the Employment of Special Counsel to Debtor-in-Possession on Non-  
7 Bankruptcy Matters" (the "Application"), filed on or about May 16, and the Opposition filed  
8 by the UST, and the representations of counsel at the hearing on the Motion, and good cause  
9 appearing, the Court hereby Orders as follows:

10 1. The Amended Application is granted.

11 2. PG&E is authorized to employ, nunc pro tunc to April 6, 2001, those  
12 counsel listed on Exhibit "A" to this Order, to perform the services described on Exhibit  
13 "A", and as may have been more specifically described in the Declarations of Proposed  
14 Special Counsel, also filed in this case in connection with the Application and the Amended  
15 Application.

16 3. As is set forth in greater detail in the Order Approving Motion to File  
17 Hourly Rates Under Seal, PG&E shall file under seal and serve solely upon the UST and  
18 counsel to the Official Committee of Unsecured Creditors (the "Committee") in this case,  
19 declarations of Special Counsel containing information concerning Special Counsel's hourly  
20 rates. Counsel shall be compensated at such hourly rates, subject to ultimate allowance by  
21 this Court after hearing, on notice to creditors of appropriate applications for compensation  
22 and reimbursement of expenses.

23 4. On an interim basis, and subject to final allowance by this Court as set forth  
24 in the preceding paragraph, PG&E shall be authorized to pay Special Counsel on a monthly  
25 basis, without prior notice to the Committee or the UST (a) one hundred percent (100%) of  
26 their expenses actually incurred, provided that such expenses are compensable under the  
27 "Guidelines for Employment and Compensation of Professionals" promulgated by the UST  
28 (the "Guidelines") in force in this district and as such may be amended from time to time,

1 and (b) an amount of fees actually and necessarily incurred on PG&E's behalf which do not  
2 exceed one hundred and ten percent (110%) of the "Average Monthly Fees" set forth in  
3 Exhibit "A" hereto (the "Monthly Allowed Interim Fees"). In the event that Special  
4 Counsel's fees for any month exceed the Monthly Allowed Interim Fees, then PG&E shall  
5 provide the Committee and the UST with copies of invoices of the Special Counsel whose  
6 fees exceed such amount; provided, however, that PG&E shall in any event be authorized to  
7 pay such Special Counsel an amount equal to such Special Counsel's Monthly Allowed  
8 Interim Fees in any event. If neither the Committee nor the UST provides PG&E with a  
9 written objection to the proposed fees in excess of the Monthly Allowed Interim Fees within  
10 seven days of transmittal of the invoices, then PG&E shall be authorized to pay the amount  
11 by which Special Counsel's fees exceed the Monthly Allowed Interim Fees. In the event  
12 that the UST or the Committee timely object, and such objection is not resolved  
13 consensually, then counsel for PG&E shall obtain a hearing date on such objection as  
14 promptly as the Court's calendar may accommodate.

15 5. PG&E shall, no less frequently than every one hundred twenty days,  
16 provide the Committee and the UST with a Report of Fees and Expenses Incurred By and  
17 paid to Special Counsel on Non-Bankruptcy Matters (the "Report"), which shall contain the  
18 following information: (a) the amount of fees and expenses incurred by and paid to each  
19 Special Counsel on Non-Bankruptcy Matters for the period commencing one hundred fifty  
20 days prior to the date of the Report and concluding thirty days prior to the date of the Report  
21 (the "Reporting Period"), (b) a brief description of the services rendered by each Special  
22 Counsel during the Reporting Period, and (c) to the extent that the fees incurred or paid to  
23 Special Counsel within the Reporting Period materially exceed the amount of the Monthly  
24 Average Interim Fees which PG&E would have paid on an aggregate basis during the  
25 Reporting Period, an explanation of why the fees have exceeded the average, and, if  
26 practicable, information concerning the fees and expenses likely to be incurred by Special  
27 Counsel during the next Reporting Period.

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1           6. In the event that PG&E wishes to employ additional Special Counsel on  
2 Non-Bankruptcy Matters, PG&E may file a "Supplement to Amended Application" and  
3 serve such Supplement on the Committee and the UST. Such Supplement shall contain the  
4 information normally contained in an Application to Employ Special Counsel, as required by  
5 section 327(e) of the Bankruptcy Code (the "Code") and the Guidelines, including  
6 declarations concerning proposed Special Counsel's disinterestedness as defined in section  
7 101(14) of the Code, and as applicable pursuant to the provisions of section 327(e). Any  
8 Order approving such Supplement to Amended Application may provide that the  
9 compensation for such newly-employed Special Counsel shall be governed by the provisions  
10 of this Order.

11                   IT IS SO ORDERED.

12  
13 DATED: August 16, 2001.

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HOWARD  
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FALK  
& RABKIN  
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DENNIS MONTALI

UNITED STATES BANKRUPTCY JUDGE

APPROVED AS TO FORM AND CONTENT:  
OFFICE OF THE UNITED STATES TRUSTEE

By: Stephen Johnson 8/9/01  
STEPHEN L. JOHNSON

**Pacific Gas and Electric Company  
Non-Bankruptcy Professionals**

**EXHIBIT A**

<b>Firm Name</b>	<b>Address</b>	<b>Telephone Numbers</b>	<b>Practice Areas</b>	<b>Avg. Monthly Fees</b>
Ajalat, Polley & Ayoob	643 S. Olive Street, Suite 200 Los Angeles, CA 90014-1685	(213) 622-7400	Plaintiff's commercial litigation	\$21,200
Albietz Law Corporation	2001 N Street, Suite 100 Sacramento, CA 95814-4222	(916) 442-4201 Fax: (916) 444- 5494	Water rights advice and litigation	\$1,200
Allen, Matkins, Leck, Gamble & Mallory, LLP	333 Bush Street, 17 <sup>th</sup> Floor San Francisco, CA. 94104-2806	(415) 837-1515 Fax: (415) 837- 1516	Immigration law advice, employment law advice	as needed <sup>1</sup>
Barg Coffin Lewis & Trapp LLP	One Market, Steuart Street Tower, Suite 2700 San Francisco, CA 94105-1475	(415) 228-5400 Fax: (415) 228- 5450	Water quality advice, hazardous waste litigation, environmental litigation	\$10,000
Barton, Klugman & Oetting	333 S. Grande Avenue, Suite 3700 Los Angeles, CA 90071-1599	(213) 621-4000 Fax: (213) 625- 4832	Plaintiff's commercial litigation	paid through Ajalat, Polley & Ayoob
Beveridge & Diamond LLP	456 Montgomery Street, Suite 1800 San Francisco, CA 94104-1251	(415) 397-0100 Fax: (415) 397- 4238	Environmental law advice	as needed

<sup>1</sup> "As needed" means either the average monthly expense was less than \$1,000 or the work assignment remains to be determined.

**Pacific Gas and Electric Company  
Non-Bankruptcy Professionals**

Cassel Malm Fagundes, LLP	6 El Dorado, South, Suite 601 Stockton, CA 95202- 2804	(209) 870-7900 Fax: (209) 870- 7922	PI/PD <sup>2</sup> plaintiff's and defense, plaintiff's and defense real property litigation, eminent domain, collection	\$16,900
Cassidy, Leigh, Law Offices of	804 Prowshead Lane Foster City, CA 94404-3772	(415) 349-4264	Contract advice	\$28,000
Chan, Doi, Marshall & Leal, LLP	220 Montgomery St., Suite 900 San Francisco, CA 94104-3402	(415) 788-8988 Fax: (415) 788- 8990	Hazardous waste litigation	\$2,600
Chong, Jerry, Law Offices of	901 H Street, Suite 210 Sacramento, CA 95814-1808	(916) 443-7398 Fax: (916) 441- 5776	PI/PD defense, commercial litigation defense	\$2,600
Clifford & Brown	1430 Truxtun Avenue, Suite 900 Bakersfield, CA 93301-5230	(661) 322-6023 Fax: (661) 322- 3508	PI/PD plaintiff's and defense, plaintiff's and defense commercial litigation	\$10,900
Coblentz, Patch, Duffy & Bass LLP	222 Kearny Street, 7 <sup>th</sup> Floor San Francisco, CA 94108-4521	(415) 391-4800 Fax: (415) 989- 7663	Real property advice and litigation, plaintiff's commercial litigation, plaintiff's public agency litigation	\$41,900
Cole & Fasano, LLP	720 Market Street, Penthouse San Francisco, CA 94102-2500	(415) 956-8800 Fax: (415) 956- 8811	PI/PD defense	\$5,500

<sup>2</sup> "PI/PD" means personal injury and property damage.



**Pacific Gas and Electric Company  
Non-Bankruptcy Professionals**

Cook, Perkiss & Lew	333 Pine Street, 3 <sup>rd</sup> floor San Francisco, CA 94104-3309	(415) 989-4730 Fax: (415) 989-0491	Collection matters	\$8,000; contingent fee - 1/3 of settlement, 40% of judgment
Della Santa, Bernard J., Law Offices of	1450 Maria Lane, Suite 400 Walnut Creek, CA 94596-5352	(925) 930-6695 Fax: (925) 939-2219	PI/PD defense, credit and collection advice and litigation, bankruptcy advice	\$16,200; contingent fee - 1/3 of settlement, 40% of judgment
Finnegan, Marks & Hampton	1990 Lombard Street, Suite 300 San Francisco, CA 94123-2886	(415) 931-9284 Fax: (415) 931-6247	Worker's compensation	as needed
Fisher & Phillips LLP	City Center 501 - 14 <sup>th</sup> St., 2 <sup>nd</sup> Flr. Oakland, CA 94612-1415	(510) 763-4411 Fax: (510) 763-4418	PI/PD plaintiff's and defense, employment litigation defense, plaintiff's and defense commercial litigation	\$10,000
Fleisig, David H., Law Offices of	1060 Amato Drive Berkeley, CA 94705-1502	(510) 548-2030	Commercial litigation advice	as needed
Foley, Hoag & Eliot LLP	One Post Office Square Boston, MA 02109-2170	(617) 832-1000 Fax: (617) 832-7000	Antitrust defense, plaintiff's commercial litigation	\$3,200
Gilmore, Rita, Law Offices of	907 Sir Francis Drake Boulevard Kentfield, CA 949041502	(415) 457-9300 Fax: (415) 457-9370	PI/PD defense, plaintiff's commercial litigation	\$8,900
Gordon-Creed, Kelley, Holl & Sugerman, LLP	530 Jackson Street, 2 <sup>nd</sup> Floor San Francisco, CA 94133-5131	(415) 421-3100 Fax: (415) 421-3150	PI/PD defense	\$1,200

**Pacific Gas and Electric Company  
Non-Bankruptcy Professionals**

Grimm, Gary J., Law Offices of	2390 Vine Street Berkeley, CA 94708- 1835	(510) 848-4140 Fax: (510) 848- 4164	Water Quality Act practice	as needed
Grunsky, Ebey, Farrar & Howell	240 Westgate Drive Watsonville, CA 95076-2405	(831) 722-2444 Fax: (831) 722- 6153	PI/PD defense	\$1,300
Hall & Heatt	1194 Pacific Street, Suite 100 San Luis Obispo, CA 93401-3342	(805) 544-3830 Fax: (805) 544- 5329	PI/PD defense	\$1,000
Hamberg, Gilbert, Law Offices of	1038 Darby Dr. Yardley, PA 19067- 4519	(215) 321-6909	Bankruptcy claimant's practice	\$8,200
Hanna, Brophy, McLean, McAleer & Jensen	555 W. Fifth St., 31 <sup>st</sup> Floor Los Angeles, CA 90013	(213) 996-8412 Fax: (213) 996- 8413	Worker's compensation	as needed
Hanson, Bridgett, Marcus, Vlahos & Rudy, LLP	333 Market Street, Suite 2300 San Francisco, CA 94105-2124	(415) 777-3200 Fax: (415) 541- 9366	Intellectual property	\$4,000
Hoge, Fenton Jones & Appel Inc.	60 South Market Street, Suite 1400 San Jose, CA 95113- 2396	(408) 287-9501 Fax: (408) 287- 258	Commercial litigation defense	\$4,600
Horvitz & Levy	15760 Ventura Blvd. 18 <sup>th</sup> Floor Encino, CA 91436- 3000	(818) 895-0800 Fax: (818) 995- 3157	State and federal appellate work	\$7,600
Howard Rome Martin & Ridley, LLP	643 Bair Island Road, Suite 400 Redwood City, CA 94063 Mail: P.O. Box 2189 Redwood City, CA 94064-2189	(650) 365-7715 Fax: (650) 364- 5297	PI/PD defense	\$1,500



**Pacific Gas and Electric Company  
Non-Bankruptcy Professionals**

Janssen, Malloy, Needham, Morrison & Reinholdtsen	730 Fifth Street Eureka, CA 95501 Mail: P.O. Drawer 1288 Eureka, CA 95502- 1288	(707) 445-2071 Fax: (707) 445- 8305	PI/PD defense, commercial litigation defense	as needed
Johnson, William D., Law Offices of	6 El Dorado South, Suite 600 Stockton, CA 95202- 2804	(209) 466-7745 Fax: (209) 466- 7798	PI/PD defense	as needed
Kahn, Soares & Conway LLP	219 North Douty Street Hanford, CA 93230- 4645	(559) 584-3337 Fax: (559) 584- 3348	Local regulatory practice, defense of public agency litigation	\$15,900
Kelly, Joseph I, Law Offices of	460 Magellan Avenue San Francisco, CA 94116-1921	(415) 661-2880	Municipal law	\$7,600
Lanahan & Reilley	3558 Round Barn Boulevard, Suite 300 Santa Rosa, CA 95403-0992	(707) 524-4200 Fax: (707) 523- 4610	PI/PD defense	\$5,200
Laughlin, Falbo, Levy & Moresi LLP	39 Drumm Street San Francisco, CA 94111-4805	(415) 781-6676 Fax: (415) 781- 6823	Worker's compensation	as needed
Le Brasseur J. Tickle, Solicitors and Privy Council Agents	Drury House 34-43 Russell Street London, England United Kingdom WC2B 5HA	011-44-207-836- 0099 Fax: 011-44-207- 831-2215	Insurance issues	US\$2,500
Lepon, McCarthy, White & Holzworth	1225 - 19th ST., N.W., Suite 600 Washington, DC 20036-2481	(202) 857-0242	Bankruptcy claimant's practice	as needed

**Pacific Gas and Electric Company  
Non-Bankruptcy Professionals**

Mackenroth Ryan & Fong	1331 Garden Highway, Suite 300 Sacramento, CA 95833-9773	(916) 924-1912 Fax: (916) 923- 3872	PI/PD plaintiff's and defense, real property litigation, commercial litigation defense	\$5,000
McCormick, Barstow, Sheppard, Wayte & Carruth	5 River Park Place East Fresno, CA 93720- 1501 Mail: P.O. Box 28912 Fresno, CA 93729- 8912	(559) 433-1300 Fax: (559) 433- 2300	PI/PD plaintiffs' and defense, real property litigation, plaintiff's and defense commercial litigation, bankruptcy	\$1,700
Minault, Paul M., Law Offices of	120 Montgomery Street, Suite 2290 San Francisco, CA 94102-4355	(415) 397-6152	Hazardous waste advice	\$3,000
Morgenstein & Jubelirer LLP	One Market Spear Street Tower, 32 <sup>nd</sup> floor San Francisco, CA 94105-1126	(415) 896-0666 Fax: (415) 896- 5592	Plaintiff's commercial litigation	\$8,400
Murphy Austin Adams Schoenfeld, LLP	1000 G Street, 3 <sup>rd</sup> Floor Sacramento, CA 95812-1319	(916) 446-2300 Fax: (916) 503- 4000	Real property advice and practice	\$13,500
Nicol, Lisa, Law Office of	738 Elizabeth Street San Francisco, CA 94114 Mail: P.O. Box 460130 San Francisco, CA 94146-0130	(415) 821-4497 Fax: (415) 821- 0791	PI/PD defense	\$4,600
Nielsen, Merksamer, Parrinello, Mueller & Naylor	591 Redwood Highway, Suite 4000 Mill Valley, CA 94941-3039	(415) 389-6800 Fax: (415) 388- 6874	Political Reform Act practice	\$26,200
Parks, James E., Law Offices of	7720 North Fresno Street, Suite 106 Fresno, CA 93720- 2407	(559) 436-6575 Fax: (559) 436- 6580	PI/PD defense, collection	as needed
Peters, Rush,	414 Salem Street	(530) 342-3593	PI/PD plaintiff's	\$15,100

**Pacific Gas and Electric Company  
Non-Bankruptcy Professionals**

Habib & McKenna	Chico, CA 95928 Mail: P.O. Box 3509 Chico, CA 95927-3509	Fax: (530) 342-4272	and defense, real property litigation, plaintiff's and defense commercial litigation, public agency litigation, eminent domain, collection matters	
Quadros & Johnson	247 North San Mateo Drive San Mateo, CA 94401-2608	(650) 377-4300 Fax: (650) 573-1387	PI/PD defense, family law, benefits litigation	\$12,800
Rickett, Robert R., Law Offices of	9 Edgewood Court Orinda, CA 94563-3902	(925) 376-2431	Real property advice	as needed
Ropers, Majeski, Kohn & Bentley	80 North First Street San Jose, CA 95113-1298	(408) 287-6262 Fax: (408) 297-6819	PI/PD defense	\$17,100
Sedgwick, Detert, Moran & Arnold	One Embarcadero Center, 16 <sup>th</sup> Floor San Francisco, CA 94111-3628	(415) 781-7900 Fax: (415) 781-2635	PI/PD defense, plaintiff's product liability litigation, plaintiff's and defense commercial litigation, employment litigation defense	\$210,700
Severson & Werson	One Embarcadero Center, Suite 2600 San Francisco, CA 94111-3715	(415) 398-3344 Fax: (415) 956-0439	Bankruptcy claimant's practice; commercial litigation, PI/PD defense	\$10,100
Sinsheimer, Schiebelhut & Baggett	1010 Peach Street San Luis Obispo, CA 93406-2770	(805) 541-2800 Fax: (805) 541-2802	Employment litigation defense, real property litigation defense	\$2,000
Spencer, Jill,	53 Dowitcher Way	(415) 456-4520	Contract advice	\$1,400

**Pacific Gas and Electric Company  
Non-Bankruptcy Professionals**

Law Offices of	San Rafael, CA 94901-8418	Fax: (415) 456-3128		
Stafford-Michael, Simon	4 Kings Bench Walk Temple, London England United Kingdom EC4Y 7 DL DX 422	011-44-207-822-8822 Fax: 011-44-207-822-8844	Insurance practice	US\$2,500
Strickland, Haapala, Altura, Harnett & Thompson, LLP	1939 Harrison Street, Suite 800 Oakland, CA 94612-3527	(510) 763-2324 Fax: (510) 273-8534	PI/PD defense	\$14,200
Tatro Coffino Zeavin Bloomgarden, LLP	116 New Montgomery St., Suite 640 San Francisco, CA 94105-3631	(415) 427-1015 Fax: (415) 427-1017	PI/PD defense	\$26,500
Townsend and Townsend and Crew	Two Embarcadero Center, 8 <sup>th</sup> Floor San Francisco, CA 94111-3834	(415) 576-0200 Fax: (415) 576-0300	Intellectual property	\$2,400
Wood & Lee	1700 South El Camino Real, Suite 505 San Mateo, CA 94402-3051	(650) 212-3400 Fax: (650) 212-3414	Real property litigation, mechanics liens, eminent domain, credit and collection advice	\$8,500
Wylie, McBride, Jesinger, Sure & Platten	125 South Market Street, Suite 900 San Jose, CA 95113-2273	(408) 297-9172 Fax: (408) 292-7042	Plaintiffs' eminent domain litigation	\$15,000
Young Wooldridge	1675 Chester Ave. Bakersfield, CA 93301-5245	(661) 327-9661 Fax: (661) 327-1087	Real property litigation, eminent domain litigation	\$12,800

**Pacific Gas and Electric Company  
Non-Bankruptcy Professionals**

**Regulatory practice**

<b>Firm Name</b>	<b>Address</b>	<b>Telephone Numbers</b>	<b>Practice Area</b>	<b>Avg. Monthly Fees</b>
Farella, Braun & Martel	235 Montgomery Street, 31 <sup>st</sup> Floor San Francisco, California 94104-3159	(415) 954-4400 Fax: (415) 954-4480	Endangered Species Act advice, National Environmental Policy Act advice, FERC advice (Hydro licenses), contract advice, water rights advice	\$4,400
Freeland, Cooper & Foreman	150 Spear Street, Suite 1800 San Francisco, California 94105-1541	(415) 541-0200 Fax: (415) 495-4332	FERC advice and practice, CPUC practice	\$12,200
Latham & Watkins	633 West Fifth Street, Suite 4000 Los Angeles, CA 90071-2007	(213) 485-1234 Fax: (213) 891-8763	CPUC regulatory practice (facilities siting), PI/PD defense, environmental litigation	\$527,300
Minami, Lew & Tamaki	360 Post Street, 8 <sup>th</sup> Floor San Francisco, California 94108-4903	(415) 788-9000 Fax: (415) 398-3887	CPUC regulatory practice (formal customer complaints)	\$1,500
Stikeman, Elliott, Law Offices of	855 - 2nd St., S.W. 1500 Bankers Hall Calagry, Alberta Canada T2P4J7	(416) 869-5500 Fax: (416) 847-0868	Canadian and provincial regulatory advice and practice, contract advice	US\$5,200
West, Glenn, Jr., Law Offices of	P. O. Box 605 Glenhaven, California 95443-0605	(707) 998-0111	FERC advice and practice	\$6,100
Winston & Strawn	1400 - L St., N.W. Washington, DC 20005-3508	(202) 371-5700 Fax: (202) 371-5950	FERC practice and advice, NRC practice and	\$14,300

**Pacific Gas and Electric Company**  
**Non-Bankruptcy Professionals**

			advice	
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1 **PROOF OF SERVICE BY MAIL**

2 I am employed in the City and County of San Francisco, State of California. I am over  
3 the age of eighteen (18) years and not a party to the within action; my business address is  
4 Three Embarcadero Center, 7th Floor, San Francisco, California 94111-4065.

5 I am readily familiar with the practice for collection and processing of documents for  
6 mailing with the United States Postal Service of Howard, Rice, Nemerovski, Canady, Falk &  
7 Rabkin, A Professional Corporation, and that practice is that the documents are deposited  
8 with the United States Postal Service with postage fully prepaid the same day as the day of  
9 collection in the ordinary course of business.

10 On August 9, 2001, I served the following document(s) described as [PROPOSED]  
11 ORDER APPROVING AMENDED APPLICATION FOR AUTHORITY TO EMPLOY  
12 AND TO CONTINUE THE EMPLOYMENT OF SPECIAL COUNSEL TO DEBTOR IN  
13 POSSESSION ON NON-BANKRUPTCY MATTERS, AND TO FILE INFORMATION  
14 CONCERNING HOURLY RATES OF PROPOSED COUNSEL UNDER SEAL  
15 (BANKRUPTCY CODE SECTION 107(B), FEDERAL RULE OF BANKRUPTCY  
16 PROCEDURE 9018) on the persons listed below by placing the document(s) for deposit in  
17 the United States Postal Service through the regular mail collection process at the law offices  
18 of Howard, Rice, Nemerovski, Canady, Falk & Rabkin, A Professional Corporation, located  
19 at Three Embarcadero Center, 7th Floor, San Francisco, California, to be served by mail  
20 addressed as follows:

21 Robert J. Moore, Esq.  
22 Milbank, Tweed, Hadley & McCloy  
23 601 South Figueroa Street  
24 Los Angeles, CA 90017  
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HOWARD  
RICE  
NEMEROVSKI  
CANADY  
FALK  
& RABKIN  
*A Professional Corporation*

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BNY Western Trust  
Attention: Mr. Todd Duncan  
700 South Flower Street, 5th Floor  
Los Angeles, CA 90017

White & Case LLP  
Attn: Evan C. Hollander, Esq.  
1155 Avenue of the Americas  
New York, NY 10038

I declare under penalty of perjury that the foregoing is true and correct. Executed at  
San Francisco, California on August 9, 2001.

  
\_\_\_\_\_  
Janet S. Maslow

HOWARD  
RICE  
NEMEROVSKI  
CANADY  
BAK  
& RAEBIN  
A Professional Corporation