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23 COMPANY

24 UNITED STATES DISTRICT COURT  
25 NORTHERN DISTRICT OF CALIFORNIA  
26 SAN FRANCISCO DIVISION

27 UNITED STATES OF AMERICA,  
28  
29 Plaintiff,  
30  
31 v.  
32  
33 PACIFIC GAS AND ELECTRIC COMPANY,  
34  
35 Defendant.

Case No. 14-CR-00175-WHA

**PG&E’S RESPONSE TO REQUEST  
FOR FURTHER RESPONSES**

Judge: Hon. William Alsup

1 Defendant Pacific Gas and Electric Company (“PG&E”) respectfully submits this  
2 response to the Court’s February 5, 2021 request for further responses concerning the  
3 three routine vegetation management patrols that were conducted in 2018, 2019 and 2020 prior  
4 to the Zogg Fire, during which the relevant pre-inspectors determined that the Gray Pine of  
5 interest did not need to be removed. (Dkt. 1297.)

6 The Court asked that PG&E’s responses be submitted under oath by the foresters  
7 (or “pre-inspectors”) who made these determinations. (*Id.* at 2.) To clarify, at the February 3,  
8 2021 hearing, counsel’s reference to three sets of qualified foresters who inspected the area of  
9 interest was intended to refer to the three separate inspections that were conducted by qualified  
10 foresters in 2018, 2019 and 2020. These inspections were conducted by employees of CN Utility  
11 Consulting (“CNUC”), a subsidiary of Wright Service Corporation. After the Court issued its  
12 order, PG&E contacted counsel for CNUC and provided the Court’s order, as well as applicable  
13 records in PG&E’s possession relating to the three routine vegetation management patrols, to  
14 counsel for CNUC. Counsel for CNUC has obtained declarations from three individuals  
15 potentially relevant to those three inspections: the individual who conducted the 2018  
16 inspection, the individual who conducted the 2019 and 2020 inspections and a third individual  
17 who also participated in some inspections of the Girvan Circuit in 2019 and 2020 but who,  
18 according to the declarations submitted herewith, likely did not participate in inspections of the  
19 area of interest. Those declarations, provided to PG&E by counsel for CNUC, are attached as  
20 Exhibits A through C.

21 The records relating to routine vegetation management patrols are maintained by  
22 PG&E. Consistent with industry practice, PG&E requires pre-inspectors on routine vegetation  
23 management patrols to identify trees that require work and to identify the work that is needed,  
24 but it does not require pre-inspectors on routine vegetation management patrols to generate  
25 records for trees that they do *not* identify for work. For context, PG&E’s routine vegetation  
26 management pre-inspectors identified over one million trees for work in 2020 and inspected  
27 many millions of other trees that were not identified for work.

1 PG&E has previously provided to the Court the number of findings from each of  
2 the 2018, 2019 and 2020 routine patrols along the Girvan Circuit and in the specific area  
3 surrounding the Gray Pine of interest. In aggregate, the pre-inspectors who did not identify the  
4 Gray Pine of interest for work in 2018, 2019 and 2020 did identify over 1,000 other trees for  
5 work along the Zogg Mine Road route,<sup>1</sup> including 25 trees in the specific area of interest near the  
6 subject Gray Pine. (See Dkt. 1260 at 3; Dkt. 1265-2 at 3-4.) PG&E's records indicate that the  
7 pre-inspectors performing the routine vegetation management patrols between 2018 and 2020  
8 were in the area of interest on six different dates: (1) October 12, 2018; (2) April 15, 2019;  
9 (3) April 24, 2019; (4) April 26, 2019; (5) March 23, 2020; and (6) March 26, 2020. With this  
10 filing PG&E is providing to the Court indexed binders containing paper copies of (i) routine  
11 vegetation management patrol records for the Zogg Mine Road route pulled from PG&E's  
12 Vegetation Management Database ("VMD") for 2018, 2019 and 2020; and (ii) routine vegetation  
13 management patrol index maps for those patrols.<sup>2</sup>

14 PG&E is not aware of the pre-inspectors who performed routine vegetation  
15 management patrols in the area of interest in 2018, 2019 and 2020 taking photographs, notes or  
16 videos, or writing reports specifically concerning the Gray Pine of interest. Similarly, PG&E  
17 does not believe that records exist detailing the specific reasons the Gray Pine of interest was not  
18 marked for removal.

19 \* \* \*

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22 <sup>1</sup> The Zogg Mine Road route refers to the patrol route that includes the portion of the Girvan  
23 Circuit that extends north from the intersection of South Fork Road and Archer Road and runs  
24 along Zogg Mine Road, as well as branches such as Jenny Bird Lane, Horse Canyon Way and  
25 Larry Horse Lane. The Zogg Mine Road route is depicted in index maps being submitted to the  
26 Court with this filing and submitted to the Court on November 3, 2020 as Exhibit A-1 to its  
27 Supplemental Response to Orders Regarding Zogg Fire. (See Dkt. 1260-1.)

28 <sup>2</sup> Certain documents in the binders being produced to the Court contain confidential  
information, including employee and customer personally identifying information. PG&E is in  
the process of identifying and redacting such confidential information and, when it has done so,  
will file the redacted documents on the docket, along with a motion to seal.

1 Per the Court's February 4, 2021 order (Dkt. 1294), PG&E will submit a response  
2 to the Court's modified Proposed Conditions 11 and 12 regarding PSPS on February 19.  
3 PG&E's operations teams are working to analyze the Court's proposed conditions with the goal  
4 of accepting them and implementing them in a manner that will significantly reduce wildfire  
5 risk.

1 Dated: February 12, 2021

Respectfully Submitted,

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