

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

50-275/323

11 Attorneys for Debtor and Debtor in Possession
12 PACIFIC GAS AND ELECTRIC COMPANY

13 UNITED STATES BANKRUPTCY COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 SAN FRANCISCO DIVISION

16 In re

No. 01-30923 DM

17 PACIFIC GAS AND ELECTRIC
18 COMPANY, a California corporation,

Chapter 11

19 Debtor.

Date: May 25, 2001
Time: 1:30 p.m.
Place: 235 Pine St., 22nd Floor
San Francisco, California

20 Federal I.D. No. 94-0742640

21 NOTICE OF MOTION AND MOTION FOR ORDER
22 AUTHORIZING ASSUMPTION OF EXECUTORY
23 HYDROELECTRIC POWER PURCHASE CONTRACTS

24 [SUPPORTING MEMORANDUM OF POINTS AND AUTHORITIES,
25 AND DECLARATION OF RANDAL S. LIVINGSTON FILED SEPARATELY]
26
27
28

HOWARD
RICE
NEMEROVSKI
CANADY
FALK
& RABKIN
A Professional Corporation

Add: Kids Cybermail Center
A001
0/1

1 **PLEASE TAKE NOTICE** that on May 25, 2001, at 1:30 p.m., or as soon
2 thereafter as the matter may be heard, in the Courtroom of the Honorable Dennis Montali,
3 located at 235 Pine Street, 22nd Floor, San Francisco, California, Pacific Gas and Electric
4 Company, the debtor and debtor in possession in the above-captioned Chapter 11 case (the
5 "Debtor" or "PG&E"), will and hereby does move the Court (the "Motion") for entry of an
6 order authorizing the assumption of the following executory hydroelectric power purchase
7 contracts pursuant to Section 365 (a) of the Bankruptcy Code (11 U.S.C. § 365(a)), in each
8 case as amended or supplemented to date:

- 9 (1) Tri-Dam Project Contract executed with the Oakdale and South San Joaquin
10 Irrigation Districts in 1952;
11 (2) South Fork Project Contract executed with the Oroville-Wyandotte Irrigation
12 District in 1960;
13 (3) Yuba-Bear Project Contract executed with the Nevada Irrigation District in
14 1963;
15 (4) Middle Fork Project Contract executed with the Placer County Water Agency
16 in 1963;
17 (5) Merced River Development Project Contract executed with the Merced
18 Irrigation District in 1964;
19 (6) Yuba River Development Project executed with the Yuba County Water
20 Agency in 1966;
21 (7) Rollins Powerhouse Project Contract executed with the Nevada Irrigation
22 District in 1978; and
23 (8) Sly Creek Powerhouse Project Contract executed with the Oroville-
24 Wyandotte Irrigation District in 1981.

25 The Motion is based on this Notice of Motion, the supporting Memorandum of
26 Points and Authorities ("MPA") and the Declaration of Randal S. Livingston submitted
27 herewith, the record of this case, and any admissible evidence presented to the Court at or
28 prior to the hearing on this Motion.

1 PLEASE TAKE FURTHER NOTICE that pursuant to Rule 9014-1(c)(1) of the
2 Bankruptcy Local Rules for the United States District Court for the Northern District of
3 California, any written opposition to the Motion and the relief requested therein must be
4 filed with the Bankruptcy Court and served upon counsel for PG&E on or prior to May 11,
5 2001. If there is no timely objection to the requested relief, the Court may enter an order
6 granting such relief without further hearing.

7
8 DATED: April 25, 2001
9

10 Respectfully,

11 HOWARD, RICE, NEMEROVSKI, CANADY,
12 FALK & RABKIN
13 A Professional Corporation

14 HOWARD
15 RICE
NEMEROVSKI
CANADY
FALK
& RABKIN
A Professional Corporation

By: Janet A. Nexon
JANET A. NEXON

16 Attorneys for Debtor and Debtor in Possession
17 PACIFIC GAS AND ELECTRIC COMPANY

18 WD 041101/1-1419909/ccc/909853/v1
19
20
21
22
23
24
25
26
27
28