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PACIFIC GAS AND ELECTRIC COMPANY

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

In re

PACIFIC GAS AND ELECTRIC COMPANY,
a California corporation,

Debtor.

Federal I.D. No. 94-0742640

No. 01 30923 DM

Chapter 11 Case

Date: May 18, 2001

Time: 10:00 a.m.

Place: 235 Pine St., 22nd Floor
San Francisco, California

DEBTOR'S NOTICE OF MOTION AND MOTION FOR ORDER VACATING
APPOINTMENT BY UNITED STATES TRUSTEE OF OFFICIAL
COMMITTEE OF RATEPAYERS

[SUPPORTING MEMORANDUM OF POINTS AND AUTHORITIES
FILED SEPARATELY]

HOWARD
RICE
NEMEROVSKI
CANADY
FALK
& RABKIN
A Professional Corporation

ADD

ADD: Rick's Jge Mail Center

1 **PLEASE TAKE NOTICE** that on May 18, 2001 at 10:00 a.m., or as soon thereafter as the
2 matter may be heard, in the Courtroom of the Honorable Dennis Montali, located at 235 Pine Street,
3 22nd Floor, San Francisco, California, Pacific Gas and Electric Company, the debtor and debtor in
4 possession in the above-captioned Chapter 11 case (the "Debtor" or "PG&E"), will and hereby does
5 move the Court (the "Motion") for entry of an order vacating the appointment by the United States
6 Trustee of an Official Committee of Ratepayers (the "Ratepayers' Committee") on May 4, 2001 (the
7 "Appointment").

8 The Motion is brought pursuant to Rules 2020 and 9014 of the Federal Rules of Bankruptcy
9 Procedure and is based on the ground that the UST acted beyond its statutory authority under Section
10 1102(a) of the Bankruptcy Code (11 U.S.C. §1102) in making the Appointment. The Motion is based
11 on this Notice of Motion and Motion, the supporting Memorandum of Points and Authorities filed
12 concurrently herewith, the Stipulation Between Debtor and United States Trustee For Order
13 Shortening Time on Debtor's Objection to Appointment of Official Committee of Ratepayers and
14 Hearing Thereon (the "Stipulation"), the pending Order of the above-captioned Court issued pursuant
15 to the Stipulation, the record of this case, and any admissible evidence presented to the Court at or
16 prior to the hearing on the Motion.

17 **PLEASE TAKE FURTHER NOTICE** that pursuant to the Stipulation and pending Order
18 thereon, (1) the United States Trustee must file its response to the Motion no later than May 15, 2001
19 and must serve such response on PGE's bankruptcy counsel by hand no later than 5:00 p.m. on May
20 15, 2001, and (2) PG&E must file any reply on May 16, 2001 and serve such response on the Office of
21 the United States Trustee by hand no later than 5:00 p.m. on May 16, 2001.

22 DATED: May 9, 2001

Respectfully,

23 HOWARD, RICE, NEMEROVSKI, CANADY,
24 FALK & RABKIN
25 A Professional Corporation

26 By: 

JEFFREY L. SCHAFER

27 Attorneys for Debtor and Debtor in Possession
28 PACIFIC GAS AND ELECTRIC COMPANY

WD 050901/1-1419903/916353/v2

NOTICE OF MOTION AND MOTION FOR ORDER VACATING APPT. OF RATEPAYERS' COMMITTEE