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13 Attorneys for creditor and moving party
14 CITY AND COUNTY OF SAN FRANCISCO

15 [OTHER MOVING PARTIES AND COUNSEL
16 LISTED ON THE SIGNATURE PAGE BELOW]

17 UNITED STATES BANKRUPTCY COURT
18 NORTHERN DISTRICT OF CALIFORNIA
19 (San Francisco Division)

20 In re:)	
21 PACIFIC GAS AND ELECTRIC	)	Case No. 01-30923 DM
22 COMPANY, a California corporation,	)	Chapter 11
23 Debtor.)	
24 Federal I.D. No. 94-0742640	)	Date: [None Set]
	)	Time: [None Set]
	)	Place: 235 Pine St., 22 nd Floor
	)	San Francisco, CA

25 **NOTICE OF APPLICATION AND APPLICATION FOR ORDER SHORTENING**
26 **TIME FOR HEARING AND BRIEFING SCHEDULE ON MOTION OF CERTAIN**
27 **CITIES AND COUNTIES FOR ISSUANCE OF AN ORDER DIRECTING THE**
28 **APPOINTMENT OF AN OFFICIAL COMMITTEE OF GOVERNMENT CREDITORS**

ADD: Add: Add DSC mail center
Rec'd at needed
12/17/01

1 **PLEASE TAKE NOTICE** that creditors Alameda County, City of Berkeley, City of San
2 Jose, San Luis Obispo County, City and County of San Francisco, Siskiyou County and Sonoma
3 County ("Movants") hereby apply *ex parte* for an order shortening time for a hearing and a
4 briefing schedule on Movants' motion for an order directing the U.S. Trustee to appoint an
5 official committee of government creditors pursuant to Bankruptcy Code section 1102(a)(2)
6 ("Government Committee Motion"). No hearing on this application has yet been scheduled.
7

8 This application is based on this notice and attached Application, the memorandum of
9 points and authorities and declarations filed in support of the Government Committee Motion
10 and concurrently with this notice, the record of this case and any additional evidence presented
11 at or before the hearing on this motion. The application and supporting papers (minus exhibits)
12 will also be posted on and may be downloaded from the web page of the Office of the City
13 Attorney of San Francisco (www.ci.sf.ca.us).

14 **PLEASE TAKE FURTHER NOTICE** that failure to file and serve a timely opposition
15 to this *Ex Parte* Motion may be deemed to be consent to the relief requested herein.

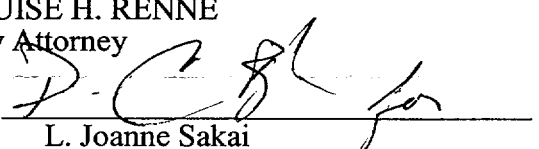
16 **APPLICATION**

17 By this Application, Movants seek entry of an Order, substantially in the form of the
18 proposed order submitted herewith as Exhibit A shortening time for the hearing and briefing
19 schedule on the Government Committee Motion. Movants have contacted the U.S. Trustee,
20 counsel for Debtor Pacific Gas & Electric Company and counsel for the Official Committee of
21 Unsecured Creditors ("OCC") respecting this Motion. The U.S. Trustee has given her consent
22 to this Application. PG&E has stated it will not agree to hearing the Motion on shortened time
23 while as of this date the OCC has not responded to inquiries as to their position. Expedited
24 relief is appropriate because of the currently existing schedule and the nature of relief sought in
25 the underlying Motion, i.e. a Court Order directing the U.S. Trustee to appoint a Governmental
26 Creditors Committee Motion. Movants request that their Motion be heard in the morning of
27 November 14, 2001 or as soon thereafter as the Court may hear this matter.
28

1 There is good cause to grant this Order shortening time. As shown in the underlying
2 motion papers, the OCC has failed and does not to adequately represent the unsecured creditors
3 in general. Accordingly, a new official committee should be appointed to do so. Because of the
4 current posture of this case, should such a committee be appointed, it will need to proceed
5 rapidly in order to accomplish its goals. In order to provide the Committee, should it be formed,
6 with such time, this *Ex Parte* Application for an Order shortening Time should be granted.

7 DATED: October 30, 2001

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City Attorney

By: 
L. Joanne Sakai

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15 [OTHER MOVING PARTIES AND COUNSEL
16 LISTED ON THE SIGNATURE PAGE BELOW]

17 UNITED STATES BANKRUPTCY COURT
18
19 NORTHERN DISTRICT OF CALIFORNIA
20 (San Francisco Division)

21 In re:)	
	)	Case No. 01-30923 DM
22 PACIFIC GAS AND ELECTRIC)	
23 COMPANY, a California corporation,	)	Chapter 11
)	
24 Debtor.)	
	)	Date: [None Set]
25 Federal I.D. No. 94-0742640	)	Time: [None Set]
	)	Place: 235 Pine St., 22 nd Floor
	)	San Francisco, CA

26 [PROPOSED] ORDER SHORTENING TIME FOR HEARING AND BRIEFING
27 SCHEDULE ON MOTION OF CERTAIN CITIES AND COUNTIES FOR ISSUANCE
28 OF AN ORDER DIRECTING THE APPOINTMENT OF
AN OFFICIAL COMMITTEE OF GOVERNMENT CREDITORS

EXHIBIT

A

1 The application of creditors Alameda County, City of Berkeley, City of San Jose, San
2 Luis Obispo County, City and County of San Francisco, Siskiyou County and Sonoma County
3 ("Movants") for an order shortening time for a hearing and a briefing schedule on Movants'
4 motion for an order directing the U.S. Trustee to appoint an official committee of government
5 creditors pursuant to Bankruptcy Code section 1102(a)(2) ("Government Committee Motion")
6 having been submitted to this Court and good cause existing for the granting of this application,
7 it is hereby ORDERED that:

8 1. The application for an Order shortening time is hereby granted.

9 2. The hearing on the Government Committee Motion shall be set for November ____,
10 2001 at _____ in the above-captioned Court, located at 235 Pine Street, 22nd
11 Floor, San Francisco, California.

12 3. Any opposition to the Government Committee Motion shall be filed with the Court
13 and served on the respective counsel for the Movants, counsel for Debtor PG&E Company,
14 counsel for the U.S. Trustee and counsel for the Official Committee of Unsecured Creditors by
15 facsimile or overnight mail by November ____, 2001.

16 4. Any reply papers must be filed with the Court and served on all parties who have filed
17 and served an opposition to the Government Committee Motion by facsimile or overnight mail
18 by November ____, 2001.

19 5. A copy of this Order shall be served on all persons or entities listed on the Special
20 Notice List by mail by November ____, 2001.

21 Dated: November ____, 2001

22 _____
23 Honorable Dennis Montali
24 United States Bankruptcy Judge

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12 NORTHERN DISTRICT OF CALIFORNIA
13 (San Francisco Division)

14 In re:)	
)	Case No. 01-30923 DM
15 PACIFIC GAS AND ELECTRIC)	
COMPANY, a California corporation,	)	Chapter 11
)	
16 Debtor.)	
	)	Date: [To be set]
17 Federal I.D. No. 94-0742640	)	Time: [To be set]
	)	Place: 235 Pine St., 22 nd Floor,
	)	San Francisco, CA

19
20 **NOTICE OF MOTION AND MOTION OF CERTAIN**
21 **CITIES AND COUNTIES OF THE STATE OF CALIFORNIA**
22 **FOR ISSUANCE OF AN ORDER DIRECTING THE APPOINTMENT OF**
23 **AN OFFICIAL COMMITTEE OF GOVERNMENT CREDITORS**
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1 PLEASE TAKE NOTICE that as soon thereafter as the matter may be heard before the
2 United States Bankruptcy Court for the Northern District of California, the Honorable Dennis
3 Montali presiding, located at 235 Pine Street, 22nd Floor, San Francisco, California, creditors
4 Alameda County, City of Berkeley, City of San Jose, San Luis Obispo County, City and County
5 of San Francisco, Siskiyou County and Sonoma County will and hereby do move the Court for
6 issuance of an order directing that the United States Trustee appoint an official committee of
7 government creditors. No hearing has yet been set as movants have requested that this Court
8 hear this matter on shortened time.


9 This motion is made under Bankruptcy Code section 1102(a)(2) and is based on this
10 notice and the memorandum of points and authorities, declarations and request for judicial
11 notice filed concurrently with this notice, the record of this case and any additional evidence
12 presented at or before the hearing on this motion. Copies of the motion and all exhibits may be
13 obtained by contacting Roderick Cummings, Office of the City Attorney, City and County of
14 San Francisco, City Hall Room 234, San Francisco, CA 94102-4682, Tel.: (415) 554-4728, Fax:
15 (415) 554-4755, or Verna Wefald, Office of the City Attorney, City and County of San
16 Francisco, 1390 Market Street, 6th Floor, San Francisco, CA 94102-4681, Tel.: (415) 554-3836,
17 Fax: (415) 554-3837. The motion (except exhibits) will also be posted on and may be
18 downloaded from the web page of the Office of the City Attorney of San Francisco
19 (www.ci.sf.ca.us).

20 PLEASE TAKE FURTHER NOTICE that Rule 9014-1(c)(1) of the Bankruptcy Local
21 Rules for the Northern District of California requires that any written opposition to this motion
22 and the relief requested by this motion be filed with the Bankruptcy Court and served on the
23 appropriate parties (including counsel for the moving parties, the Debtor, the Office of the
24 United States Trustee and the Official Committee of Unsecured Creditors) at least fourteen (14)
25 days before the scheduled hearing date. Should the Court grant the accompanying application
26 for order shortening time as to this Motion, the Court may set an earlier time by which parties
27 seeking to oppose this motion must file any written opposition. If no timely objection is filed,
28

1 the Court may enter an order granting this motion and the requested relief without further
2 hearing.

3 DATED: October 30, 2001

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City Attorney

By: 
L. Joanne Sakai

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PROOF OF SERVICE

I, Nancy E Lacayo, declare as follows:

I am a citizen of the United States, over the age of eighteen years and not a party to the within entitled action.

On October 31, 2001, I served the attached:

- 1) **NOTICE OF MOTION AND MOTION OF CERTAIN CITIES AND COUNTIES OF THE STATE OF CALIFORNIA FOR ISSUANCE OF AN ORDER DIRECTING THE APPOINTMENT OF AN OFFICIAL COMMITTEE OF GOVERNMENT CREDITORS**
- 2) **NOTICE OF APPLICATION AND APPLICATION FOR ORDER SHORTENING TIME FOR HEARING AND BRIEFING SCHEDULE ON MOTION OF CERTAIN CITIES AND COUNTIES FOR ISSUANCE OF AN ORDER DIRECTING THE APPOINTMENT OF AN OFFICIAL COMMITTEE OF GOVERNMENT CREDITORS**

on the interested parties listed on the PG&E Bankruptcy Special Notice List.

and served the named document in the manner indicated below:

☒ **BY MAIL:** I caused true and correct copies of the above documents, by following ordinary business practices, to be placed and sealed in envelope(s) addressed to the addressee(s), for collection and mailing with the United States Postal Service, and in the ordinary course of business, correspondence placed for collection on a particular day is deposited with the United States Postal Service that same day.

☐ **BY PERSONAL SERVICE:** I caused true and correct copies of the above documents to be placed and sealed in envelope(s) addressed to the addressee(s) and I caused such envelope(s) to be delivered by hand on the office(s) of the addressee(s).

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed October 31, 2001, at San Francisco, California.

Nancy E Lacayo
Strategic Office Solutions
Nancy E Lacayo

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11 UNITED STATES BANKRUPTCY COURT
12 NORTHERN DISTRICT OF CALIFORNIA
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14 In re:

15 PACIFIC GAS AND ELECTRIC
16 COMPANY, a California corporation,

17 Debtor.

18 Federal I.D. No. 94-0742640
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25
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28

) Case No. 01-30923 DM

) Chapter 11

) **PROOF OF SERVICE**

) Date: [To be set]

) Time: [To be set]

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