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10 Attorneys For Creditors Covanta Power Pacific, Inc.,
Burney Mountain Power, Mount Lassen Power,
11 Pacific Oroville Power, Pacific-Ultrapower Chinese
Station and Covanta Stanislaus, Inc.

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

16 In re)
17)
18 PACIFIC GAS AND ELECTRIC COMPANY,)
19)
20 Debtor.)

Case No. 01-30923

Chapter 11 Case

21 NOTICE OF MOTION AND MOTION OF
22 COVANTA POWER PACIFIC, INC. ET AL.
23 TO COMPEL DEBTOR TO TIMELY
24 DECIDE WHETHER TO ASSUME OR
25 REJECT POWER PURCHASE
26 CONTRACTS OR, IN THE ALTERNATIVE
27 GRANTING RELIEF FROM THE STAY TO
28 ALLOW SUSPENSION OF PERFORMANCE
UNDER POWER PURCHASE CONTRACTS
PENDING ASSUMPTION OR REJECTION
THEREOF

Date: July 27, 2001 (Preliminary Hearing)
Time: 1:30 p.m.
Courtroom: Hon. Dennis Montali

I. NOTICE OF MOTION

PLEASE TAKE NOTICE that the instant motion filed by Covanta Power Pacific, Inc. Burney
Mountain Power, Covanta Stanislaus, Inc., Mount Lassen Power, Pacific Oroville Power and Pacific-

1001
Add: Kids Age Mail Center

50-275/323

Ultrapower Chinese Station (collectively the "Movants"), has been scheduled to be heard before the Honorable Dennis Montali on the following date and time, in the indicated courtroom:

Date: July 27, 2001
Time: 1:30 p.m.
Place: U.S. Bankruptcy Court
Northern District of California
San Francisco Division
235 Pine Street, 19th Floor
San Francisco, California

II. RELIEF REQUESTED

The Movants pray that this Court enter an order:

1. Compelling Pacific Gas & Electric Company (“PG&E” or the “Debtor”) to decide within 30 days whether to assume or reject its power purchase agreements with the Movants; and
2. In the alternative to the foregoing relief, granting the Movants relief from the automatic stay to allow them to suspend tperformance under the power purchase agreements pending assumption or rejection, and authorizing them to sell electricity to third parties during the interim period of time.

III. CAUSE SHOWN

This Motion is based upon: this Notice and Motion; the Declaration of Lucian W. Fox and the exhibits thereto; the Declaration of Karen Henry and the exhibits thereto; Consolidated Memorandum of Points and Authorities; and all pleadings and papers filed in this proceeding.

For the reasons set forth in the declarations of Lucian W. Fox and Karen Henry, good cause exists to grant the relief requested herein.

IV. COPIES OF PLEADINGS

You may obtain copies of this Motion and any documents and pleadings submitted in support hereof by (i) contacting the undersigned counsel to Movants, or (ii) accessing the website established pursuant to the Court's Case Management Order (as such order may be amended from time to time), at www.pge.com/court_docs.

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V. PRAYER FOR RELIEF

WHEREFORE, Covanta Power Pacific, Inc. Burney Mountain Power, Covanta Stanislaus, Inc.,
Mount Lassen Power, Pacific Oroville Power and Pacific-Ultrapower Chinese Station pray for relief as
set forth in Section II above.

Dated: July 5, 2001

TOPEL & GOODMAN

and

JENNER & BLOCK, LLC

By: 

Vincent E. Lazar

Attorneys For Covanta Power Pacific, Inc.,
Burney Mountain Power, Mount Lassen Power,
Pacific Oroville Power, Pacific-Ultrapower Chinese
Station and Covanta Stanislaus, Inc.

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