

50-295/323

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8 PACIFIC GAS AND ELECTRIC COMPANY

9 UNITED STATES BANKRUPTCY COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 SAN FRANCISCO DIVISION

12 In re Case No. 01-30923 DM
13 PACIFIC GAS AND ELECTRIC Chapter 11 Case
14 COMPANY, a California corporation,
Debtor.

HOWARD
RICE
NEMEROVSKI
CANADY
FALK
& RABKIN
A Professional Corporation

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16 Federal I.D. No. 94-0742640

17 HOWARD, RICE, NEMEROVSKI, CANADY, FALK & RABKIN
18 COVER SHEET APPLICATION
FOR ALLOWANCE AND PAYMENT OF INTERIM COMPENSATION
19 AND REIMBURSEMENT OF EXPENSES FOR APRIL, 2001

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21 Howard, Rice, Nemerovski, Canady, Falk & Rabkin (the "Firm") submits its
22 Cover Sheet Application (the "Application") for Allowance and Payment of Interim
23 Compensation and Reimbursement of Expenses for the Period April 6, 2001 through April
24 30, 2001 (the "Application Period"). In support of the Application, the Firm respectfully
25 represents as follows:

26 1. The Firm is counsel to Pacific Gas and Electric Company, debtor and debtor-
27 in-possession in the above-referenced bankruptcy case (the "Debtor"). The Firm hereby
28 applies to the Court for allowance and payment of interim compensation for services rendered

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1 and reimbursement of expenses incurred during the Application Period.

2 2. The Firm billed a total of \$1,031,822.54 in fees and expenses during the
3 Application Period. The total fees represent 3,358.2 hours expended during the Application
4 Period. These fees and expenses break down as follows:

5

6 Period	Fees	Expenses	Total
7 April, 2001	\$929,737.50	\$96,720.04	\$1,026,457.54

8 After applying the unused portion of its retainer, the Firm was owed \$580,163.92 in fees.

9 3. Accordingly, the Firm seeks allowance of interim compensation in the total
10 amount of \$522,147.53 at this time (90% of the unpaid fees for services rendered).¹

11 4. For the post-petition period, the Firm has not been paid to date for any fees
12 and expenses, except that the Firm did apply a retainer in the amount of \$446,293.62 to its
13 April fees and expenses.

14 5. With regard to the copies of this Application served on counsel for the
15 Committee, the Debtor and the Office of the United States Trustee, attached as Exhibit 1
16 hereto is the name of each professional who performed services in connection with this case
17 during the period covered by this Application and the hourly rate for each such professional;
18 and attached as Exhibit 2 are the detailed time and expense statements for the Application
19 Period that comply with all Northern District of California Bankruptcy Local Rules and
20 Compensation Guidelines and the Guidelines of the Office of the United States Trustee.²

21 6. The Firm is serving a copy of this Application (without Exhibits) on the
22 Special Notice List in this case.

23 7. Pursuant to this Court's "ORDER ESTABLISHING INTERIM FEE
24 APPLICATION AND EXPENSE REIMBURSEMENT PROCEDURE" which was entered
25 on or about July 26, 2001, the Debtor is authorized to make the payment requested herein
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27 ¹Payment of this amount would result in a "holdback" of \$58,016.39.

28 ²Submitted in electronic form to the Office of the United States Trustee.

1 without a further hearing or order of this Court, unless an objection to this Application is filed
2 with the Court by the Debtor, the Committee or the United States Trustee and served by the
3 fifteenth day of the month following the service of this Application. If such an objection is
4 filed, Debtor is authorized to pay the amounts, if any, not subject to the objection. The Firm
5 is informed and believes that this Cover Sheet Application was mailed by first class mail,
6 postage prepaid, on or about July 31, 2001.

7 8. The interim compensation and reimbursement of expenses sought in this
8 Application is on account and is not final. Upon the conclusion of this case, the Firm will
9 seek fees and reimbursement of expenses incurred for the totality of the services rendered in
10 the case. Any interim fees or reimbursement of expenses approved by this Court and
11 received by the Firm (along with the Firm's retainer) will be credited against such final fees
12 and expenses as may be allowed by this Court.

13 9. The Firm represents and warrants that its billing practices comply with all
14 Northern District of California Bankruptcy Local Rules and Compensation Guidelines and
15 the Guidelines of the Office of the United States Trustee.³ Neither the Firm nor any members
16 of the Firm has any agreement or understanding of any kind or nature to divide, pay over or
17 share any portion of the fees or expenses to be awarded to the Firm with any other person or
18 attorney except as among the members and associates of the Firm.

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26 ³ As the Firm has informed the Office of the United States Trustee and the Committee,
27 the facsimile charges sought in this Application deviate slightly from the Court's Guidelines.
28 The Firm intends to provide a full explanation of such deviation and a request for payment of
such charges in its next interim fee application to the Court in this case.

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WHEREFORE, the Firm respectfully requests that the Debtor pay compensation to the Firm as requested herein pursuant to and in accordance with the terms of the "ORDER ESTABLISHING INTERIM FEE APPLICATION AND EXPENSE REIMBURSEMENT PROCEDURE."

DATED: July 31, 2001

HOWARD, RICE, NEMEROVSKI, CANADY,
FALK & RABKIN
A Professional Corporation

By: 
JAMES L. LOPES

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