

50-275/323

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7 PACIFIC GAS AND ELECTRIC COMPANY

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

12 In re
13 PACIFIC GAS AND ELECTRIC
COMPANY, a California corporation,
14 Debtor.

Case No. 01-30923 DM

Chapter 11 Case

Date: March 27, 2003
Time: 1:30 p.m.
Place: 235 Pine Street, 22nd Floor
San Francisco, California
Judge: Hon. Dennis Montali

15 Federal I.D. No. 94-0742640
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20 ORDER GRANTING DEBTOR'S MOTION FOR ORDER AUTHORIZING
21 COMPROMISE OF CLAIMS OF CALIFORNIA REGIONAL WATER QUALITY
CONTROL BOARD PURSUANT TO A CONSENT JUDGMENT
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27 *Appl*
28 *Add: Risk Age Mail Center*

HOWARD
RICE
NEMEROVSKI
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& RABKIN
A Professional Corporation

1 The Court having reviewed the Debtor's Motion For Order Authorizing
2 Compromise Of Claims Of California Regional Water Quality Control Board Pursuant To A
3 Consent Judgment (the "Motion") and the supporting Declaration of Terry Nelson (the
4 "Nelson Declaration") filed with the Court by debtor in possession Pacific Gas and Electric
5 Company ("PG&E"), and the Court having determined that adequate notice of the Motion
6 was given to parties in interest as appropriate under the circumstances, and good cause
7 appearing therefor,

8 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

9 1. The Motion is granted;

10 2. PG&E may enter into the Consent Judgment attached as Exhibit A to the
11 Nelson Declaration (the "Consent Judgment") and consummate the settlement memorialized
12 therein; and

13 3. The automatic stay pursuant to Section 362(a) of the United States Bankruptcy
14 Code (11 U.S.C. §362(a)), to the extent otherwise applicable, is hereby modified to allow the
15 California Regional Water Quality Control Board ("CRWQCB") to file a civil action against
16 PG&E in the California Superior Court for the County of San Luis Obispo as contemplated
17 in the Consent Judgment, and simultaneously therewith, to file in such court the Consent
18 Judgment.¹

19 DATED:
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22 _____
HONORABLE DENNIS MONTALI
UNITED STATES BANKRUPTCY JUDGE

23 WD 011603/1-1419925/1049895/v1
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27 ¹In granting this order, the Court does not reach the substantive issue of whether the
28 automatic stay would apply with respect to the filing of such civil action by the CRWQCB
or would be exempt under Section 362(b)(4) of the United State Bankruptcy Code. Rather,
the order modifies the automatic stay only to the extent it may be applicable.