

SEPARATED LEGAL FILES

Separated Legal Files

April 29, 1964

Cerald F. Madlock

TELEPHONE CALL FROM PHILIP A. CRANE, PG&E

50-205

Philip Crane, attorney for PG&E, called me this afternoon to inquire whether Don Tocher could attend the ACRES meeting on Hodge. I told him that so far as I know the situation had not changed since our previous consideration of this question and accordingly there was no basis for changing our previous opinion that Tocher's attendance at the ACRES meeting would involve a violation of the conflict of interest statutes. He asked whether Tocher might appear on his own behalf ("as an independent agent"). I told him that normally only persons associated with the applicant or the ABC Regulatory Staff were permitted to attend ACRES meetings and that Tocher could not attend as an "independent agent" unless he was invited by the Committee. Crane indicated that while he agreed with the views I had expressed he was raising the question again because Tocher would be the logical one to answer questions which they thought would be raised by the ACRES.

Crane also inquired whether Tocher could testify at the hearing. I indicated that we had referred this question to our Assistant General Counsel who deals with these questions for his opinion, but have not as yet received a reply. He asked to be informed promptly if there was any question as to whether Tocher could testify at the hearing.

cc: R. Lounsbury
H.H. Sheper