

**FILED**

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF ORANGE  
CENTRAL JUSTICE CENTER

**FEB 10 2017**

DAVID H. YAMASAKI, Clerk of the Court

BY: *J. Mortensen*, DEPUTY

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Christopher Sproul (Bar No. 126398)  
ENVIRONMENTAL ADVOCATES  
5135 Anza Street  
San Francisco, California 94121  
Telephone: (415) 533-3376  
Facsimile: (415) 358-5695  
Email: [csproul@enviroadvocates.com](mailto:csproul@enviroadvocates.com)

Fredric Evenson (State Bar No. 198059)  
ECOLOGY LAW CENTER  
P.O. Box 1000  
Santa Cruz, California 95061  
Telephone: (831) 454-8216  
Email: [evenson@ecologylaw.com](mailto:evenson@ecologylaw.com)

Attorneys for Plaintiff  
ECOLOGICAL RIGHTS FOUNDATION

**ELECTRONICALLY RECEIVED**  
Superior Court of California,  
County of Orange  
**01/30/2017** at 03:00:16 PM  
Clerk of the Superior Court  
By Olga Lopez, Deputy Clerk

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF ORANGE

ECOLOGICAL RIGHTS FOUNDATION,

Plaintiff,

v.

SOUTHERN CALIFORNIA EDISON; SAN  
DIEGO GAS & ELECTRIC COMPANY;  
PACIFICORP; GOLDEN STATE WATER  
COMPANY; LIBERTY UTILITIES (CALPECO  
ELECTRIC), LLC, and DOES 1 through 100,

Defendants.

Case No. 30-2015-00795847-CU-TT-CJC

**CONSENT JUDGMENT**

Dept.: CX-102

CONSENT JUDGMENT

1 **1.0 INTRODUCTION**

2 1.1 ECOLOGICAL RIGHTS FOUNDATION (“ERF”) acting on behalf of itself and the  
3 public interest, filed a complaint (“Complaint”) in this action for civil penalties and injunctive relief  
4 in Orange County Superior Court, against Defendants Southern California Edison Company; San  
5 Diego Gas & Electric Company; Pacificorp; Golden State Water Company; and Liberty Utilities  
6 (CalPeco Electric) LLC, hereinafter “Defendants.” ERF and Defendants are collectively referred to  
7 herein as the “Parties.” The Complaint alleges, among other things, that Defendants transmit and  
8 distribute electricity throughout California by use of wires suspended from wooden poles (“Utility  
9 Poles”), and that these Utility Poles are treated with mixtures of chemicals that contain chemicals  
10 listed pursuant to California Code of Regulations, title 27, section 27001 as known to cause cancer,  
11 birth defects or other reproductive harm. ERF has alleged that Defendants’ Utility Poles expose  
12 Californians to pentachlorophenol, hexachlorobenzene, polychlorinated dibenzo-p-dioxins,  
13 hexachlorodibenzo-p-dioxin, 2,3,7,8 tetrachlorodibenzo-p-dioxin and polychlorinated dibenzo furans  
14 (collectively hereinafter “Listed Chemicals”) in violation of provisions of the Safe Drinking Water  
15 and Toxic Enforcement Act of 1986, Health and Safety Code Sections 25249.5, *et seq.* (“Proposition  
16 65”). In particular, ERF alleges that Defendants knowingly and intentionally install Utility Poles in  
17 the California environment where Defendants know that Californians will make dermal contact with  
18 the Utility Poles. ERF alleges that physical contact with Treated Utility Poles, or contact with  
19 stormwater runoff, dust, wood chips, splinters, or slivers and sawdust emanating from these poles,  
20 causes exposures to Listed Chemicals.

21 1.2 On March 6, 2015, and pursuant to Health & Safety Code section 25249.7(d), ERF  
22 sent a Notice of Violation letter concerning the allegations set forth in Paragraph 1.1 to Defendants,  
23 the California Attorney General, and the District Attorneys for all of the counties in which  
24 Defendants maintain Utility Poles, including Orange County.

25 1.3 ERF alleges that Defendants are businesses that employ more than ten people, and  
26 that maintain Utility Poles throughout California. ERF alleges that Defendants intend to maintain  
27 Utility Poles in places where they know the Utility Poles will cause Californians to absorb, ingest,  
28 inhale, or otherwise come into contact with Listed Chemicals. Additionally, Plaintiff’s claims

1 concern those Treated Utility Poles that Defendants have taken out of service and then sold or  
2 donated to be used for things such as parking facilities and landscaping. Plaintiff also alleges that  
3 the public eat fish caught from water bodies into which Listed Chemicals flow. Plaintiff alleges that  
4 the exposures to Listed Chemicals that result from Defendants' installation, maintenance and  
5 disposition of Utility Poles are subject to the warning requirement of Health and Safety Code  
6 Section 25249.6.

7 1.4 On June 26, 2015, more than 60-days after ERF sent its Notice Letter, and without an  
8 authorized public prosecutor of Proposition 65 having filed an enforcement action against  
9 Defendants for the claims alleged therein, ERF filed a Complaint against Defendants in Orange  
10 County Superior Court, which was amended on October 8, 2015. In its Complaint, ERF alleges that  
11 Defendants violated Cal. Health & Safety Code Section 25249.6 by knowingly and intentionally  
12 exposing people to the above-referenced Listed Chemicals, without first providing a clear and  
13 reasonable warning within the meaning of Health & Safety Code section 25249.6.

14 1.5 For purposes of settlement and the entry of this Consent Judgment only, the parties  
15 stipulate that this Court has jurisdiction over the allegations of violations contained in the Complaint  
16 and personal jurisdiction over Defendants as to the acts alleged in the Complaint, that venue is  
17 proper in the County of Orange and that this Court has jurisdiction to enter this Consent Judgment as  
18 a full settlement and resolution of the allegations contained in the Complaint and of all claims that  
19 were or could have been raised by any person or entity based in whole or in part, directly or  
20 indirectly, on the facts alleged in, arising from, or related to the Complaint.

21 1.6 This Consent Judgment resolves claims that are denied and disputed. The parties  
22 enter into this Consent Judgment pursuant to a full and final settlement of any and all claims  
23 between the parties for the purpose of avoiding prolonged litigation. This Consent Judgment shall  
24 not constitute an admission with respect to any material allegation of the Complaint, each and every  
25 allegation of which Defendants deny, nor may this Consent Judgment or compliance with it be used  
26 as evidence of any wrongdoing, misconduct, culpability or liability on the part of Defendants.

27 1.7 This Consent Judgment shall be effective on entry by the Court, the "Effective Date."  
28

1 **2.0 SETTLEMENT PAYMENTS**

2 2.1 In settlement of all of the claims referred to in this Consent Judgment, Defendants  
3 shall pay an aggregate of \$500,000.00 in total monetary relief, inclusive of Paragraph 2.2, below. Of  
4 the foregoing, Defendants shall pay a total of \$41,250.00 in civil penalties. Of this penalty amount,  
5 Defendants shall pay \$10,312.50 to ERF as provided by statute (Health & Safety Code Section  
6 25249.12(d)), and, \$30,937.50 to the Office of Environmental Health Hazard Assessment  
7 ("OEHHA"). Defendants shall also pay \$20,000.00 to the Ecological Rights Foundation for use  
8 toward reducing exposures to, and increasing consumer, worker and community awareness of, the  
9 health hazards posed by pentachlorophenol, dioxins, furans, and other Proposition 65-listed  
10 chemicals. The parties agree and acknowledge that the charitable contributions made pursuant to  
11 this section shall not be construed as a credit against the personal claims of absent third parties for  
12 restitution against the Defendants.

13 2.2 A total amount of \$438,750.00 shall be paid by Defendants to Environmental  
14 Advocates as reimbursement for attorney's fees and costs incurred by Plaintiff and its counsel in  
15 investigating and prosecuting this matter and in negotiating this Consent Judgment on behalf of itself  
16 and in the public interest. The payments described in Paragraph 2.1 above and this Paragraph 2.2  
17 shall be delivered by check payable to Environmental Advocates (for deposit into Environmental  
18 Advocates' attorney-client trust account) within 20 court days after the Effective Date mailed to:  
19 Christopher Sproul, Environmental Advocates, 5135 Anza Street, San Francisco, CA 94121.

20 2.3 Except as specifically provided in this Consent Judgment, each side shall bear its own  
21 costs and attorney's fees.

22 **3.0 ENTRY OF CONSENT JUDGMENT**

23 3.1 The parties hereby request that the Court promptly enter this Consent Judgment,  
24 which shall constitute a full and final adjudication of all claims asserted or that could have been  
25 asserted in Plaintiff's Complaint under Proposition 65 based upon the facts alleged therein. Upon  
26 entry of the Consent Judgment, the parties waive their respective rights to a hearing or trial on the  
27 allegations of the Complaint.  
28

1 **4.0 MATTERS COVERED BY THIS CONSENT JUDGMENT**

2 4.1 As to exposures to the Listed Chemicals referenced in paragraph 1.1 above and in the  
3 Notice Letter, Complaint and First Amended Complaint in this action, and which are caused by  
4 Defendants' Utility Poles, this Consent Judgment provides a full release of liability on behalf of the  
5 public interest to Defendants, as well as their past, present and future corporate parents, subsidiaries,  
6 affiliates, predecessors, successors and assigns (collectively, "Released Entities"), from all claims  
7 for violations of Proposition 65 prior to and as of the Effective Date of this Consent Judgment based  
8 upon the facts alleged in ERF's Notice of Violation. Compliance with the terms of this Consent  
9 Judgment by a Defendant following its entry by the Court shall be deemed to constitute compliance  
10 with Proposition 65 as to exposures to Listed Chemicals in connection with that Defendant's Utility  
11 Poles.

12 4.2 As to exposures to the Listed Chemicals referenced in paragraph 1.1 above and in the  
13 Notice Letter, Complaint and First Amended Complaint in this action, and which are caused by  
14 Defendants' Utility Poles, this Consent Judgment provides a full release, by Plaintiff acting in its  
15 individual capacity, of any liability of Released Entities for all claims of any nature whatsoever prior  
16 to and as of the Effective Date of this Consent Judgment, which were or could have been brought  
17 based upon the facts alleged in ERF's Notice of Violation, Complaint and Amended Complaint,  
18 whether known or unknown, fixed or contingent.

19 4.3 In furtherance of the foregoing, Plaintiff hereby waives any and all rights and benefits  
20 which it now has, or in the future may have respecting Defendants' Utility Poles, conferred upon it  
21 by virtue of the provisions of Section 1542 of the California Civil Code, which provides as follows:

22 "A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS WHICH THE  
23 CREDITOR DOES NOT KNOW OR SUSPECT TO EXIST IN HIS OR HER  
24 FAVOR AT THE TIME OF EXECUTING THE RELEASE, WHICH IF KNOWN  
25 BY HIM OR HER MUST HAVE MATERIALLY AFFECTED HIS OR HER  
26 SETTLEMENT WITH THE DEBTOR."

27 4.3 Plaintiff understands and acknowledges that the significance and consequence of this  
28 waiver of California Civil Code Section 1542 is that even if Plaintiff suffers future damages arising  
out of or resulting from, or related directly or indirectly to, in whole or in part, Defendants' failure to  
warn with respect to exposure to Listed Chemicals from Defendants' Utility Poles, Plaintiff will not

1 be able to make any claim for those damages against the Released Entities, their parents, subsidiaries  
2 or affiliates, predecessors, officers, directors, shareholders, representatives, attorneys, agents,  
3 employees or customers or any other person in the course of doing business involving Defendants'  
4 Utility Poles, and the successors and assigns of any of them. Furthermore, Plaintiff acknowledges  
5 that it intends these consequences for any such claims and any other Claims which may exist as of  
6 the date of this release but which Plaintiff does not know exist, and which, if known, would  
7 materially affect its decision to enter into this Consent Judgment, regardless of whether its lack of  
8 knowledge is the result of ignorance, oversight, error, negligence, or any other cause.

## 9 **5.0 ENFORCEMENT OF JUDGMENT**

10 5.1 The terms of this Consent Judgment shall be enforced exclusively by the parties  
11 including on behalf of the Released Entities. The parties may, by noticed motion before the Superior  
12 Court of Orange County, giving the notice required by law, enforce the terms and conditions of this  
13 Consent Judgment. The parties agree that prior to any such enforcement proceeding, they will notify  
14 each other of any perceived violation of this Consent Judgment. The parties further agree to meet  
15 and confer in good faith in an effort for 30 days before such notice is given to resolve the alleged  
16 violation.

## 17 **6.0 MODIFICATION OF JUDGMENT**

18 6.1 This Consent Judgment may be modified only upon written agreement of the parties  
19 and upon entry of a modified Consent Judgment by the Court, or upon motion of any party as  
20 provided by law and upon entry of a modified Consent Judgment by the Court. The California  
21 Attorney General shall be entitled to at least 15 days' notice of any proposed modification before it  
22 is presented to the Court for approval.

## 23 **7.0 INJUNCTIVE RELIEF - CLEAR AND REASONABLE WARNINGS**

24 7.1 Health & Safety Code section 25249.11(f) expressly permits a Health & Safety Code  
25 section 25249.6 warning to be transmitted by including the warning in mailings to utility customers.  
26 Beginning on the Effective Date, each Defendant shall, on a quarterly basis, provide a clear and  
27 reasonable warning that informs the recipient that Defendant uses wooden utility poles treated with  
28 wood preservatives, that wood preservatives contain chemicals known to cause cancer, birth defects

1 or other reproductive harm, and that advises customers to avoid contact with wooden utility poles.  
2 This warning may be provided in written or electronic billing materials. In the case of electronic  
3 billing, such warnings shall appear either on the same electronic page as the billing statement or on a  
4 clearly visible link to alerts, warnings or notices connected to the electronic billing statement page.

5 7.2 The following warning language, and the warnings depicted in Exhibit A to this  
6 Consent Judgment, are deemed to satisfy the requirements of Health & Safety Code Section  
7 25249.6:

8 **A. PROPOSITION 65 WARNING [Long Version]**

9 PROPOSITION 65 WARNING: The Safe Drinking Water and Toxic Enforcement Act of  
10 1986, commonly referred to as Proposition 65, requires the governor to publish a list of  
11 chemicals "known to the State of California" to cause cancer, birth defects or other  
12 reproductive harm. It also requires California businesses to warn the public quarterly of  
13 potential exposures to these chemicals that result from their operations.

14  
15 Providing safe and reliable service to all of our customers is a top priority for [COMPANY]  
16 and we want you to be aware of these substances so that you can reduce possible exposure.

17  
18 [COMPANY] uses [natural gas] and petroleum products, solvents and other chemicals in our  
19 operations. We also [deliver natural gas to our customers and] use wooden utility poles  
20 treated with wood preservatives. Petroleum products [, natural gas and their][its] combustion  
21 by-products, wood preservatives and other chemicals used in our operations contain  
22 chemicals "known to the State of California" to cause cancer, birth defects or other  
23 reproductive harm.

24  
25 More safety information can be found at [website or link]

26  
27 Para hablar con un representante en español, marque el número gratuito [insert Spanish  
28 language number]

1  
2 **B. PROPOSITION 65 WARNING [Short Version]**

3  
4 PROPOSITION 65 WARNING: [COMPANY] uses [natural gas] and petroleum products,  
5 solvents and other chemicals in our operations. We also [deliver natural gas to our customers  
6 and] use wooden utility poles treated with wood preservatives. Petroleum products [, natural  
7 gas and their][its] combustion by-products, wood preservatives and other chemicals used in  
8 our operations contain chemicals "known to the State of California" to cause cancer, birth  
9 defects or other reproductive harm.

10 More safety information can be found at [website or link]

11 Para hablar con un representante en español, marque el número gratuito [insert Spanish  
12 language number]

13  
14 7.3 Settling Defendants shall provide occupational warnings in accordance with the  
15 requirements of Title 27, California Code of Regulations sections 25602, 25602.1 and 25602.2, as  
16 amended from time to time.

17 **8.0 AUTHORITY TO STIPULATE**

18 8.1 Each signatory to this Consent Judgment certifies that he or she is fully authorized by  
19 the party he or she represents to enter into this Consent Judgment and to execute it on behalf of the  
20 party represented and legally bind that party.

21 **9.0 RETENTION OF JURISDICTION**

22 9.1 This Court shall retain jurisdiction of this matter to implement the Consent Judgment.

23 **10.0 ENTIRE AGREEMENT**

24 10.1 This Consent Judgment contains the sole and entire agreement and understanding of  
25 the parties with respect to Defendants' Utility Poles, and any and all prior discussions, negotiations,  
26 commitments and understandings to them. No representations, oral or otherwise, express or implied,  
27 other than those contained herein regarding Defendants' Utility Poles have been made by any party.  
28 No other agreements not specifically referred to herein, oral or otherwise, shall be deemed to exist or



1 to bind any of the parties with respect to the Defendants' Utility Poles.

2 **11.0 GOVERNING LAW**

3 11.1 The validity, construction and performance of this Consent Judgment shall be  
4 governed by the laws of the State of California, without reference to any conflicts of law provisions  
5 of California law.

6 **12.0 NOTICES**

7 12.1 Unless specified herein, all correspondence and notices required to be provided  
8 pursuant to this Consent Judgment shall be in writing and personally delivered or sent by: (i)  
9 electronic mail, electronic return receipt requested, (ii) first-class, (registered or certified mail) return  
10 receipt requested; or (iii) overnight courier on any party by the other party at the following addresses:

11 **To ERF:**

12 Fredric Evenson  
13 Ecology Law Center  
14 P.O. Box 1000  
15 Santa Cruz, CA 95061  
16 E-mail: evenson@ecologylaw.com

17 Christopher Sproul  
18 Environmental Advocates  
19 5135 Anza Street  
20 San Francisco, CA 94121  
21 Email: csproul@enviroadvocates.com

22 **To Defendants:**

23 Michael Steel  
24 Morrison & Foerster  
25 31<sup>st</sup> Floor  
26 425 Market Street  
27 San Francisco, CA 94105

28 **To Southern California Edison**

Colin Lennard  
Southern California Edison Company  
2244 Walnut Grove Avenue  
Rosemead, CA 91770

**To San Diego Gas & Electric Co.**

C. Larry Davis  
Assistant General Counsel  
Sempra Energy Legal Department  
488 8<sup>th</sup> Avenue, HQ09N1  
San Diego, CA 92101

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**To PacifiCorp**  
Dustin Till  
Senior Counsel  
PacifiCorp d/b/a Pacific Power  
825 NE Multnomah Street, Suite 1800  
Portland, OR 97232

**To Golden State Water Company**  
Matthew Currie  
Manager of Risk Services and Senior Counsel  
Golden State Water Company,  
a subsidiary of American States Water Company  
630 E. Foothill Blvd.  
San Dimas, CA 91773

**To Liberty Utilities**  
Todd Wiley  
Assistant General Counsel  
Liberty Utilities  
12725 West Indian School Road, Suite D-101  
Avondale, AZ 85392

**13.0 COURT APPROVAL**

13.1 If this Consent Judgment is not approved by the Court, it shall be of no force or effect, and cannot be used in any proceeding for any purpose.

IT IS SO STIPULATED:

Dated: *AUGUST 31, 2016*

**ECOLOGICAL RIGHTS FOUNDATION**

By: *James Lamport*, EXEC. DIR.  
James Lamport,  
Executive Director,  
Ecological Rights Foundation

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Dated: 8/30/16

SOUTHERN CALIFORNIA EDISON COMPANY

By: [Signature]  
Assistant General Counsel

Dated:

SAN DIEGO GAS & ELECTRIC COMPANY

By: \_\_\_\_\_

Dated:

PACIFICORP

By: \_\_\_\_\_

Dated:

GOLDEN STATE WATER COMPANY

By: \_\_\_\_\_

Dated:

LIBERTY UTILITIES (CalPeco Electric) LLC

By: \_\_\_\_\_

IT IS ORDERED, ADJUDGED AND DECREED:

DATED:

\_\_\_\_\_  
JUDGE OF THE SUPERIOR COURT

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Dated: SOUTHERN CALIFORNIA EDISON COMPANY  
By: \_\_\_\_\_

Dated: *Sept. 9, 2016* SAN DIEGO GAS & ELECTRIC COMPANY  
By: *Ray Davis* \_\_\_\_\_

Dated: PACIFICORP  
By: \_\_\_\_\_

Dated: GOLDEN STATE WATER COMPANY  
By: \_\_\_\_\_

Dated: LIBERTY UTILITIES (CalPeco Electric) LLC  
By: \_\_\_\_\_

**IT IS ORDERED, ADJUDGED AND DECREED:**

DATED: \_\_\_\_\_  
JUDGE OF THE SUPERIOR COURT

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Dated: SOUTHERN CALIFORNIA EDISON COMPANY

By: \_\_\_\_\_

Dated: SAN DIEGO GAS & ELECTRIC COMPANY

By: \_\_\_\_\_

Dated: 9/6/16 PACIFICORP

By:  \_\_\_\_\_

Dated: GOLDEN STATE WATER COMPANY

By: \_\_\_\_\_

Dated: LIBERTY UTILITIES (CalPeco Electric) LLC

By: \_\_\_\_\_

IT IS ORDERED, ADJUDGED AND DECREED:

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JUDGE OF THE SUPERIOR COURT

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Dated: SOUTHERN CALIFORNIA EDISON COMPANY  
By: \_\_\_\_\_

Dated: SAN DIEGO GAS & ELECTRIC COMPANY  
By: \_\_\_\_\_

Dated: PACIFICORP  
By: \_\_\_\_\_

Dated: 9/2/16 GOLDEN STATE WATER COMPANY  
By: *[Signature]*

Dated: LIBERTY UTILITIES (CalPeco Electric) LLC  
By: \_\_\_\_\_

IT IS ORDERED, ADJUDGED AND DECREED:

DATED: \_\_\_\_\_  
JUDGE OF THE SUPERIOR COURT

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Dated: SOUTHERN CALIFORNIA EDISON COMPANY

By: \_\_\_\_\_

Dated: SAN DIEGO GAS & ELECTRIC COMPANY

By: \_\_\_\_\_

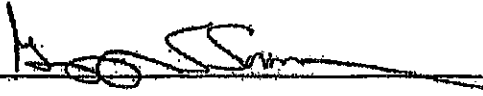
Dated: PACIFICORP

By: \_\_\_\_\_

Dated: GOLDEN STATE WATER COMPANY

By: \_\_\_\_\_

Dated: LIBERTY UTILITIES (CalPeco Electric) LLC

By: 

IT IS ORDERED, ADJUDGED AND DECREED:

DATED: 2-10-17

Will D. Christ  
JUDGE OF THE SUPERIOR COURT

**EXHIBIT A**



SOUTHERN CALIFORNIA EDISON COMPANY

Please visit us at [www.sce.com](http://www.sce.com)

## Proposition 65 Warning To All Customers

**PROPOSITION 65 WARNING:** The Safe Drinking Water and Toxic Enforcement Act of 1986, commonly referred to as Proposition 65, requires the governor to publish a list of chemicals known to the State of California to cause cancer and birth defects or other reproductive harm. It also requires California businesses to warn the public of potential exposures to these chemicals that result from their operations.

Providing safe and reliable service to all of our customers is a top priority for Southern California Edison and we want you to be aware of these chemicals so that you can reduce exposure to chemicals associated with electricity generation and distribution.

We handle all equipment and materials at our sites carefully for your good health as well as ours. However, if you are at or near our facilities and work sites, you can be exposed to the following chemicals on the state's Proposition 65 list. Reduce, limit, or avoid activities at and near the sources of exposure described below.

For more information go to [www.P65Warnings.ca.gov](http://www.P65Warnings.ca.gov).

### Diesel Generation: Diesel Exhaust

SCE uses diesel-fueled emergency generators during emergencies and other times to help minimize the interruption of our customers' supply of electricity. The generators are used at some SCE facilities like substations and service centers, and at locations where repairs are made to the electrical system. SCE also uses diesel as the primary fuel for electricity generation on Catalina Island.

Diesel engines produce exhaust as a by-product of the combustion of diesel fuel. The exhaust contains gas compounds and fine parti-

cles (called "soot" or "particulate matter"). It also contains chemicals known to the State of California to cause cancer and birth defects or other reproductive harm. Breathing diesel exhaust can expose you to chemicals known to the State of California to cause cancer and birth defects or other reproductive harm, including benzene and 1,3-butadiene.

### Wooden Utility Poles

SCE uses wooden poles that have been treated with chemical preservatives. These chemicals include pentachlorophenol, which is known to the State of California to cause cancer, and petroleum products such as diesel fuel, which contains chemicals including toluene and benzene that are known to the State of California to cause cancer and birth defects or other reproductive harm. If you come into contact with a wooden utility pole or the dust, debris, soil surrounding the pole, or water runoff that may contain dust, debris, and soil previously in contact with the pole, you could be exposed to these chemicals. Avoid contact with wooden utility poles and the dust, debris, soil surrounding the poles, or water runoff that may contain dust, debris, and soil previously in contact with the poles.

Los usuarios con acceso al Internet podrán leer y descargar esta notificación en español en el sitio Web de SCE

[www.sce.com/avisos](http://www.sce.com/avisos) o escriba a:

Southern California Edison Company  
P.O. Box 800  
2244 Walnut Grove Avenue Rosemead, CA 91770  
Atención: Comunicaciones Corporativas

## What To Know About Rotating Outages

This year, the SoCal Gas Aliso Canyon facility (a major storage facility of natural gas) has restricted operations and is unable to provide natural gas to power plants as in prior years. While SCE is doing everything it can to minimize this impact to our customers, the California Independent System Operator (CAISO) may call for rotating outages.

A rotating outage is a temporary and controlled electric outage that lasts approximately one hour, depending on circumstances. A utility manages and rotates the outages to protect the integrity of the overall electric system. Controlled, rotating outages can become necessary when the CAISO declares a Stage 3 Emergency. Under those circumstances, without controlled, rotating power outages on a relatively small scale, a widespread disturbance to the electric grid could occur, which would lead to uncontrolled, large-scale outages. Find out more about at the CAISO Flex Alerts and Stage 3 emergencies at [flexalert.org](http://flexalert.org).

### Prepare Before a Rotating Outage

- Conserve Energy: go to [on.sce.com/tips](http://on.sce.com/tips)
- Know your Rotating Outage Group number. This information is located on your bill or log in to My Account. You can also call us at 1-800-611-1911 and use the voice response system to get your rotating outage group number.

- Go to [www.sce.com/outage](http://www.sce.com/outage) to see which Rotating Outage Groups are likely to be affected if needed.
- Be ready in case of power outage - Have emergency supplies in a place where you can easily find them -- [on.sce.com/outagetips](http://on.sce.com/outagetips)

### During a Rotating Outage

- Be aware of your surroundings and be safe.
- Turn off all appliances, machinery and equipment that were in use when the power went out.
- Switch off light switches (except one). Leaving a light on will let you know when electricity has been restored.
- Minimize driving in an outage area. If traffic lights are not functioning, treat as four-way stops.

### After a Rotating Outage

- Continue to conserve energy. Energy conservation, both electricity and natural gas, is critical to help maintain grid reliability and service.
- To learn more about energy conservation, visit SCE's website: [on.sce.com/tips](http://on.sce.com/tips), or follow us on Twitter: [twitter.com/SCE](https://twitter.com/SCE) and on Facebook at: [facebook.com/SCE](https://facebook.com/SCE).

Visit [www.sce.com/notices](http://www.sce.com/notices) to check for monthly bill inserts which may include notice of actions and other important information.

## A New Cool Center Locator Tool Is Now Available On SCE.com

The Cool Center Locator is a geolocating tool that enables customers to find their nearest Cool Centers.

Just enter a city or ZIP code, and a map will show the location of each Cool Center, including address, phone number, and operating hours.

The Cool Center Locator is found on the Safety page of SCE.com, and is also directly accessible via [on.sce.com/coolcenter](http://on.sce.com/coolcenter).

### About Cool Centers

During the summer months, our Cool Center program provides safe, air conditioned facilities where customers can relax and escape the heat, and avoid using their own cooling devices at home.

While visiting Cool Centers, customers may:

- Help minimize harmful impacts to the environment by using less energy at home.
- Reduce health hazards by avoiding extremely hot, uncomfortable temperatures.
- Learn about available programs and services that can help manage energy usage.

Cool Centers are not exempt from rotating outages.

## Not Seeing Eye-To-Eye With Your Bill?

If you believe the amount you have been billed is incorrect, call the customer service phone number at the top of your bill to request an explanation. We will be happy to look into your concerns.

## Thinking About Moving?

Did you know you can now conveniently schedule the transfer of your electrical service on your mobile phone, PC or tablet without having to call an SCE rep? You can securely schedule a turn off date for your current location and turn it on at your new one? And you can track the status of your request 24/7.

Check out Move Center at [on.sce.com/move](http://on.sce.com/move).

## From Aedes to Zika – What You Need to Know

Zika is a mosquito-transmitted virus that is rapidly spreading across the Americas. This virus is predominately spread through the bite of infected Aedes mosquitoes. Invasive Aedes mosquitoes now thrive in California, and can transmit Zika, dengue, or chikungunya when/if the viruses arrive by way of infected travelers.

### The Risks

Most people who become infected with Zika will never show symptoms. Approximately 20% will get mildly to moderately sick, but for a small percentage, the infection can be devastating. Severe birth defects can occur in infants born to mothers infected during pregnancy.

### The Prevention

These tiny mosquitoes thrive in urban environments and aggressively bite during the daytime. They lay their eggs in the tiniest of water sources found around the home, and are notoriously difficult to control. YOU have the power to make your property inhospitable to these mosquitoes. Start today. TIP and TOSS all containers around your home that can hold even the smallest amount of water. Pet water bowls must be scrubbed weekly. Don't overwater, and thin vegetation. Use EPA-certified repellents if mosquitoes are present, and report them to your local vector control district. Visit <http://tinyurl.com/zika14x2> to learn more.

## Spend Less Time Worrying About Your Electric Bill

Like many households in Southern California, you're probably looking for ways to reduce your expenses, and we may be able to help. We want you to be aware of some solutions to help lower your monthly electric bills.

We have two rate programs designed to help eligible individuals and families who may need support meeting their energy needs. If your household meets current income qualifications, you may receive a discount of approximately 30% on your monthly electric bill through California Alternate Rates for Energy (CARE). Family Electric Rate Assistance (FERA) offers a discount on electric bills if you have three or more people in your household and you exceed your baseline electricity usage by more than 30%.

You may also qualify for free appliances and more. Another opportunity for you to save energy and lower your electric bills is the Energy Savings Assistance (ESA) program. With this helpful program, you can receive, for free, a new replacement energy-efficient refrigerator, smart power strip, lighting, and other energy-saving services. Not all services are available in all areas.

Refer to the current income qualifications below to see if your household qualifies for these services.

Enroll today at [www.sce.com/billhelp](http://www.sce.com/billhelp).

Maximum Household Income\*  
Effective June 1, 2016

Number of Persons in Household	Total Combined Annual Income: CARE and ESA	Total Combined Annual Income: FERA
1 to 2	Up to \$32,040	Not Eligible
3	Up to \$40,320	\$40,321 - \$50,400
4	Up to \$48,600	\$48,601 - \$60,750
5	Up to \$56,880	\$56,881 - \$71,100
6	Up to \$65,160	\$65,161 - \$81,450
7	Up to \$73,440	\$73,461 - \$91,825
8	Up to \$81,720	\$81,781 - \$102,225
Each additional person	\$8,320	\$8,320 - \$10,400

\*Current gross (before taxes) household income from all sources.

## Just In Time For A Friendly Reminder

Many of us know someone who may have difficulty remembering to pay the electric bill on time. Whatever the circumstance, a free Friendly Reminder Notification might help prevent unnecessary disconnections\* of a customer's electric service.

SCE customers can designate someone to be notified in the event their service is to be disconnected because of a past due bill. Designated persons are not responsible for paying the bill, but they can provide an extra reminder when the bill payment is due. To enroll an SCE customer, call 1-800-894-8123, or for complete details, visit [www.sce.com/reminder](http://www.sce.com/reminder).

\*A Friendly Reminder Notification does not stop electric service from being disconnected if the bill is not paid on time.

**PACIFICORP**

## Proposition 65 Public Warning

The Safe Drinking Water and Toxic Enforcement Act of 1986, commonly referred to as Proposition 65, requires the governor to publish a list of chemicals "known to the state of California" to cause cancer, birth defects or other reproductive harm. It also requires California businesses to warn the public quarterly of potential exposures to these chemicals that result from their operations.

Providing safe and reliable service to all of our customers is a top priority for Pacific Power and we want you to be aware of these substances so that you can reduce possible exposure.

Pacific Power uses chemicals in our operations that are "known to the state of California" to cause cancer, birth defects or other reproductive harm. Pacific Power uses materials, such as treated wooden utility poles, that contain chemicals "known to the state of California" to cause cancer, birth defects or other reproductive harm. Pacific Power provides proper care when handling all our operational materials. However, if you are at or near one of our facilities, you may be exposed to substances on the state of California's list of substances known to cause cancer, birth defects or other reproductive harm.

For more information on this Proposition 65 warning, please write to:

Environmental Services  
Pacific Power  
825 NE Multnomah Street, Suite 1500  
Portland, OR 97232

More safety information can be found at  
[pacificpower.net/safety](http://pacificpower.net/safety).

*Para hablar con un representante  
en español, marque el número  
gratuito 1-888-225-2611.*



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*Let's turn the answers on.*



CA06PROP65

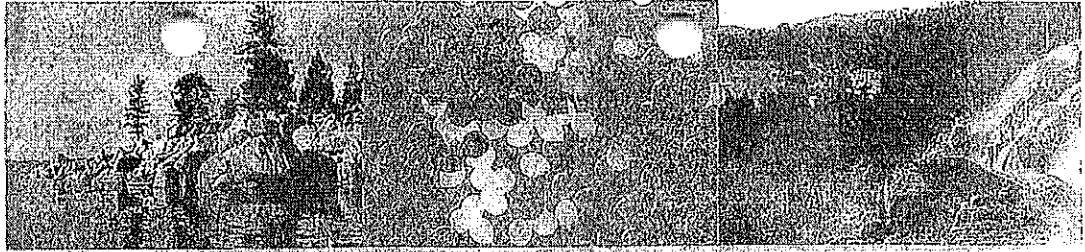
**EXHIBIT B**

**GOLDEN STATE WATER COMPANY**

**PROPOSITION 65 WARNING: Bear Valley Electric Service uses natural gas and petroleum products, solvents and other chemicals in our operations. We also use wooden utility poles treated with wood preservatives. Petroleum products, natural gas and its combustion by-products, wood preservatives and other chemicals used in our operations contain chemicals "known to the State of California" to cause cancer, birth defects or other reproductive harm.**



**LIBERTY Utilities (Cal-Peco Electric) LLC**

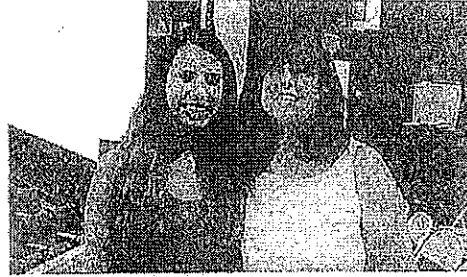


## Scholarship Winners Announced

For the fourth consecutive year, Liberty Utilities awarded scholarships to students in its service territory. Recipients were chosen by their schools based on Liberty's criteria, and utility management made presentations at each school's award ceremony. Congratulations and best wishes to these students as they pursue their higher education.



Liberty's Travis Johnson presents North Tahoe High School's Makenzie Clauss with her \$500 scholarship check and certificate at the school's award ceremony.



Liberty's Janine Irwin-Webb presented Truckee High School's Olivia Yale with her \$500 scholarship check and certificate.

<b>Kimberly Fisher</b>	<b>South Lake Tahoe High School</b>
<b>Hayden Ketchum</b>	<b>Loyalton High School</b>
<b>Kiera Elam</b>	<b>Coleville High School</b>
<b>Makenzie Clauss</b>	<b>North Tahoe High School</b>
<b>Marcela Cardenas</b>	<b>Portola High School</b>
<b>Olivia Yale</b>	<b>Truckee High School</b>
<b>William Tovar</b>	<b>Lake Tahoe Community College</b>



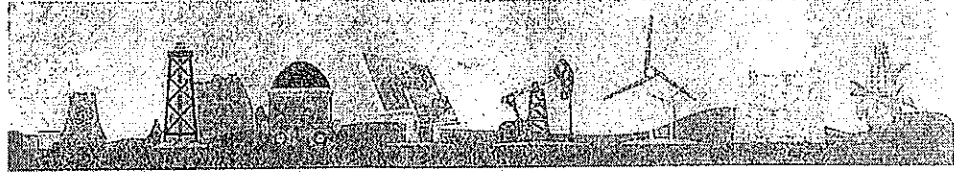
### CA Proposition 65 Warning

Liberty Utilities uses natural gas and petroleum products, solvents and other chemicals in our operations. We also use wooden utility poles treated with wood preservatives or fire-retardant products and their combustion by-products. Wood preservatives and other chemicals used in our operations contain chemicals known to the State of California to cause cancer, birth defects, or other reproductive harm. Please avoid contact with wooden utility poles.

More safety information can be found at <http://oag.ca.gov/prop65/understand>

LOCAL AND RESPONSIBLE. WE CARE.

## Where Does The Power Come From?



Liberty Utilities purchases all of its power (except for emergency diesel generation) through a power purchase agreement (PPA) with NV Energy. In its 2016 PPA, power from NV Energy's coal-fired Valmy power plant has been eliminated and renewable energy from Liberty's new 50 MW Luning Solar Project will be added once completed.

Renewables	22%
Coal	15%
Large Hydroelectric	4%
Natural Gas	42%
Nuclear	1%
Other	16%

Source: Annual Power Source Disclosure, year ended December 31, 2015.

LIBERTY UTILITIES IS AN EQUAL OPPORTUNITY EMPLOYER.

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## OUT AND ABOUT

Liberty Utilities will be out and about this summer participating in community events. Stop by our booths to visit and learn more about energy efficiency.

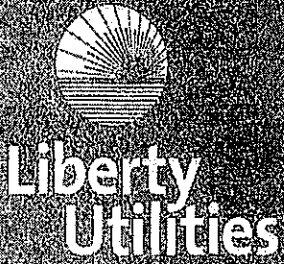
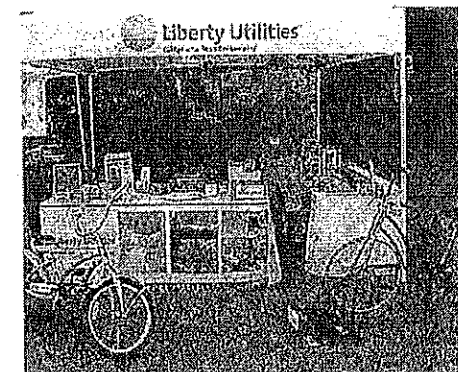
- Truckee Thursdays - July 2nd
- Downtown Truckee - July 2nd
- Truckee Air Show - July 2nd
- Truckee Fall Festival - July 2nd
- Portola Railroad Days - August 27th
- Pokora - August 27th
- Peaks and Paws - August 27th
- South Valley - August 27th
- Sample the Sierra - September 11th
- South Community Park - September 11th



## Community Service Award



Liberty Utilities is the proud sponsor of the Distinguished Community Service Award presented by the North Lake Tahoe Chamber. Liberty's Ken Wittman presented this year's award to Kay Williams for her significant contributions in promoting tourism and promotions in her community.



www.libertyutilities.com

Liberty Utilities  
North Lake Tahoe  
701 National Avenue  
Tahoe Vista, CA 96148

Liberty Utilities  
South Lake Tahoe  
1933 Eloise Avenue  
South Lake Tahoe, CA 96150

**San Diego Gas & Electric Company**

## **PROPOSITION 65 WARNING**

As a result of Proposition 65, the state of California lists substances known to cause cancer or reproductive harm. We want you to be aware of the following so you can minimize exposure to substances on the state's list related to natural gas and electricity distribution.

SDG&E uses natural gas and petroleum products, solvents and other chemicals in our operations. We also deliver natural gas to our customers and use wooden utility poles treated with wood preservatives. *Petroleum products, natural gas and their combustion by-products, wood preservatives and other chemicals used in our operations contain chemicals "known to the State of California" to cause cancer, birth defects or other reproductive harm.* Avoid contact with wooden utility poles. More safety information can be found at <https://www.epa.gov/ingredients-used-pesticide-products/overview-wood-preservative-chemicals-0>.

### **Natural gas**

In its original state, natural gas contains substances on the state's list of substances known to cause cancer or reproductive harm. To reduce exposure, leave the area of the gas leak and call us immediately at **1-800-411-7343**.

### **Natural gas combustion**

All combustion, including the combustion of natural gas, produces substances on the state's list of substances known to cause cancer or reproductive harm.

### **Facilities and work sites**

Some materials found at our facilities and work sites contain substances on the state's list of substances known to cause cancer or reproductive harm. We handle all materials carefully for your good health as well as ours; however, exposure to substances on the state's list may occur at these locations.

For more information, visit the state's Proposition 65 website at <http://oehha.ca.gov/proposition-65>.