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9

ENDORSED
FILED

APR 06 2021

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SONOMA

10
11 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
12 IN AND FOR THE COUNTY OF SONOMA
13

14 THE PEOPLE OF THE STATE OF
CALIFORNIA

Plaintiff,

15 vs.

16 PACIFIC GAS AND ELECTRIC COMPANY,
17 AKA PG&E, PACIFIC GAS AND ELECTRIC,
18

19 Defendant.
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COURT CASE NO. SCR-745228-1

FELONY COMPLAINT

Section(s)

PC452(a), PC452(b), PC452(c),
HS42400.3(c), HS42400.3(c),
HS13001, PRC4421, PUC2110,
PUC2110, PUC2110,
HS42400.1(a), HS42400.1(a),
HS42400.3(b), HS42400.1(a),
HS42400.3(b), HS42400.1(a),
HS42400.3(b), HS42400.1(a),
HS42400.3(b), HS42400.1(a),
HS42400.3(b), HS42400.1(a),
HS42400.3(b), HS42400.1(a),
HS42400.3(b), HS42400.1(a),
HS42400.1(a), HS42400.1(a),
HS42400.1(a), HS42400.1(a),
HS42400.1(a)

Appearance Date: 4/20/2021
Time: 1:30 p.m.
Dept: 3

25
26 The District Attorney of the County of Sonoma, State of California, hereby accuses the
27 above named defendant of the following criminal offenses:
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COUNT 1

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2 On or about October 23, 2019, in the County of Sonoma, State of California, the crime of Recklessly
3 Causing A Fire With Great Bodily Injury in violation of PC 452(a), a Felony, was committed in that
4 PACIFIC GAS AND ELECTRIC COMPANY, the Defendant, did unlawfully and recklessly set fire
5 to and burn and cause to be burned a structure, forest land, and personal property and did cause great
6 bodily injury to firefighter victims John Doe #1, John Doe #2, John Doe #3, John Doe #4, John Doe
7 #5, and John Doe #6.
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10 ENHANCEMENT 1

11 PC 452.1(a): Special Allegation - Aggravating Factors

12 It is further alleged, pursuant to Penal Code section 452.1(a) as to Count 1 that the following
13 aggravating factors exist: a firefighter suffered great bodily injury as a result of the offense pursuant
14 to Penal Code section 452.1(a)(2); the Defendant proximately caused great bodily injury to more than
15 one victim pursuant to Penal Code section 451.2(a)(3); and the Defendant proximately caused
16 multiple structures to burn pursuant to Penal Code section 452.1(a)(4).
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21 COUNT 2

22 On or about October 23, 2019, in the County of Sonoma, State of California, the crime of Recklessly
23 Causing Fire To Inhabited Structure in violation of PC 452(b), a Felony, was committed in that
24 PACIFIC GAS AND ELECTRIC COMPANY, the Defendant, did unlawfully and recklessly set fire
25 to and burn and cause to be burned an inhabited structure and inhabited property located in Sonoma
26 County.
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ENHANCEMENT 1

PC 452.1(a): Special Allegation - Aggravating Factors

It is further alleged, pursuant to Penal Code section 452.1(a) as to Count 2 that the following aggravating factors exist: a firefighter suffered great bodily injury as a result of the offense pursuant to Penal Code section 452.1(a)(2); the Defendant proximately caused great bodily injury to more than one victim pursuant to Penal Code section 451.2(a)(3); and the Defendant proximately caused multiple structures to burn pursuant to Penal Code section 452.1(a)(4).

COUNT 3

On or about October 23, 2019, in the County of Sonoma, State of California, the crime of Recklessly Causing A Fire Of A Structure Or Forest Land in violation of PC 452(c), a Felony, was committed in that PACIFIC GAS AND ELECTRIC COMPANY, the Defendant, did unlawfully and recklessly set fire to and burn and cause to be burned a structure and forest land located in Sonoma County.

ENHANCEMENT 1

PC 452.1(a): Special Allegation - Aggravating Factors

It is further alleged, pursuant to Penal Code section 452.1(a) as to Count 3 that the following aggravating factors exist: a firefighter suffered great bodily injury as a result of the offense pursuant to Penal Code section 452.1(a)(2); the Defendant proximately caused great bodily injury to more than one victim pursuant to Penal Code section 451.2(a)(3); and the Defendant proximately caused multiple structures to burn pursuant to Penal Code section 452.1(a)(4).

COUNT 4

On or about October 23, 2019, in the County of Sonoma, State of California, the crime of Reckless Emission Of Air Contaminants in violation of HS 42400.3(c), a Felony, was committed in that

1 PACIFIC GAS AND ELECTRIC COMPANY, the Defendant, with reckless disregard for the risk of
2 great bodily injury to, or death of, any person, did emit an air contaminant, to wit, wildfire smoke,
3 and related particulate matter and ash, in violation of Health and Safety Code section 41700, that
4 caused great bodily injury to Minor Victim #1. Health and Safety Code section 41700 prohibits the
5 discharge from any source whatsoever of quantities of air contaminants or other material that cause
6 injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or
7 that endanger the comfort, repose, health, or safety of any of those persons or the public, or that
8 cause, or have a natural tendency to cause, injury or damage to business or property. It is further
9 alleged that defendant is a corporation.
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12 COUNT 5

13 On or about October 23, 2019, in the County of Sonoma State of California, the crime of Reckless
14 Emission Of Air Contaminants in violation of HS 42400.3(c), a Felony, was committed in that
15 PACIFIC GAS AND ELECTRIC COMPANY, the Defendant, with reckless disregard for the risk of
16 great bodily injury to, or death of, any person, did emit an air contaminant, to wit, wildfire smoke and
17 related particulate matter and ash , in violation of Health and Safety Code section 41700, that caused
18 great bodily injury to Minor Victim #2. Health and Safety Code section 41700 prohibits the discharge
19 from any source whatsoever of quantities of air contaminants or other material that cause injury,
20 detriment, nuisance, or annoyance to any considerable number of persons or to the public, or that
21 endanger the comfort, repose, health, or safety of any of those persons or the public, or that cause, or
22 have a natural tendency to cause, injury or damage to business or property. It is further alleged that
23 defendant is a corporation.
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COUNT 6

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2 On or about October 23, 2019, in the County of Sonoma, State of California, the crime of Throwing
3 Flaming Or Glowing Substances in violation of HS 13001, a Misdemeanor, was committed in that
4 PACIFIC GAS AND ELECTRIC COMPANY, the Defendant, did unlawfully throw or place any
5 ashes, or other flaming or glowing substance, or any substance or thing which may cause a fire, in
6 any place where it may directly or indirectly start a fire, without clearing the inflammable material
7 surrounding the operation or taking such other reasonable precautions necessary to insure against the
8 starting and spreading of fire.
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11 COUNT 7

12 On or about October 23, 2019, in the County of Sonoma, State of California, the crime of Burning
13 Lands Of Another in violation of PRC 4421, a Misdemeanor, was committed in that PACIFIC GAS
14 AND ELECTRIC COMPANY, the Defendant, did negligently cause fire to be set to any forest,
15 brush, or other flammable material which was on land not belonging to or under the legal control of
16 PACIFIC GAS AND ELECTRIC COMPANY, the Defendant, without permission of the owner,
17 lessee, or agent of the owner or lessee of the land.
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20 COUNT 8

21 On or about October 23, 2019, in the County of Sonoma, State of California, the crime of Violation
22 By A Public Utility, in violation of Public Utilities Code section 2110, a Misdemeanor, was
23 committed in that PACIFIC GAS AND ELECTRIC COMPANY, the Defendant, is a public utility
24 who violated or failed to comply with any part of any provision of the California Constitution or the
25 Public Utilities Code, to wit, PUC 451, by unlawfully failing to furnish and maintain such adequate,
26 efficient, just, and reasonable service, instrumentalities, equipment, and facilities, as are necessary to
27 promote the safety, health, comfort and convenience of its patrons, employees, and the public.
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COUNT 9

On or about October 23, 2019, in the County of Sonoma, State of California, the crime of Violation By A Public Utility, in violation of Public Utilities Code section 2110, a Misdemeanor, was committed in that PACIFIC GAS AND ELECTRIC COMPANY, the Defendant, is a public utility who violated any part of any order, decision, rule, direction, demand, or requirement of the Public Utilities Commission, by failing to design, construct, and/or maintain its electrical supply in accordance with PUC General Order Number 95, Section 31.1, of the Rules for Overhead Electric Line Construction prescribed by the California Public Utilities Commission.

COUNT 10

On or about October 23, 2019, in the County of Sonoma, State of California, the crime of Violation By A Public Utility, in violation of Public Utilities Code section 2110, a Misdemeanor, was committed in that PACIFIC GAS AND ELECTRIC COMPANY, the Defendant, is a public utility who violated any part of any order, decision, rule, direction, demand, or requirement of the Public Utilities Commission, by unlawfully failing to remove transmission lines, or portions of transmission lines, that were permanently abandoned as defined in General Order Number 95, Section 31.6, of the Rules for Overhead Electric Line Construction prescribed by the California Public Utilities Commission. The People allege that PACIFIC GAS AND ELECTRIC COMPANY, the Defendant, failed to remove the portion of the Geysers #9-Lakeville transmission line between Tower 001/009 and Tower 001/006 which was abandoned.

COUNT 11

On or about October 23, 2019, in the County of Sonoma, State of California, the crime of Negligent Emission Of Air Contaminants in violation of HS 42400.1(a), a Misdemeanor, was committed in that

1 PACIFIC GAS AND ELECTRIC COMPANY, the Defendant, did negligently emit an air
2 contaminant, to wit, wildfire smoke and related particulate matter and ash, in violation of Health and
3 Safety Code sections 41700 and 41701(a). Health and Safety Code section 41700 prohibits the
4 discharge from any source whatsoever of quantities of air contaminants or other material that cause
5 injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or
6 that endanger the comfort, repose, health, or safety of any of those persons or the public, or that
7 cause, or have a natural tendency to cause, injury or damage to business or property. Health and
8 Safety Code section 41701 prohibits the discharge into the atmosphere from any source whatsoever
9 of any air contaminant, other than uncombined water vapor, for a period or periods aggregating more
10 than three minutes in any one hour which is as dark or darker in shade as that designated as No. 2 on
11 the Ringelmann Chart, as published by the United States Bureau of Mines.
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14 COUNT 12

15 On or about October 24, 2019, in the County of Sonoma, State of California, the crime of Negligent
16 Emission Of Air Contaminants in violation of HS 42400.1(a), a Misdemeanor, was committed in that
17 PACIFIC GAS AND ELECTRIC COMPANY, the Defendant, did negligently emit an air
18 contaminant, to wit, wildfire smoke and related particulate matter and ash, in violation of Health and
19 Safety Code sections 41700 and 41701(a). Health and Safety Code section 41700 prohibits the
20 discharge from any source whatsoever of quantities of air contaminants or other material that cause
21 injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or
22 that endanger the comfort, repose, health, or safety of any of those persons or the public, or that
23 cause, or have a natural tendency to cause, injury or damage to business or property. Health and
24 Safety Code section 41701 prohibits the discharge into the atmosphere from any source whatsoever
25 of any air contaminant, other than uncombined water vapor, for a period or periods aggregating more
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1 than three minutes in any one hour which is as dark or darker in shade as that designated as No. 2 on
2 the Ringelmann Chart, as published by the United States Bureau of Mines.

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4 COUNT 13

5 On or about October 24, 2019, in the County of Sonoma, State of California, the crime of Reckless
6 Emission Of Air Contaminants in violation of HS 42400.3(b), a Misdemeanor, was committed in that
7 PACIFIC GAS AND ELECTRIC COMPANY, the Defendant, with reckless disregard for the risk of
8 great bodily injury to, or death of, any person, did emit an air contaminant, to wit, wildfire smoke,
9 and related particulate matter and ash, in violation of Health and Safety Code section 41700, that did
10 result in an unreasonable risk of great bodily injury to, or death of, any person.
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13 COUNT 14

14 On or about October 25, 2019, in the County of Sonoma, State of California, the crime of Negligent
15 Emission Of Air Contaminants in violation of HS 42400.1(a), a Misdemeanor, was committed in that
16 PACIFIC GAS AND ELECTRIC COMPANY, the Defendant, did negligently emit an air
17 contaminant, to wit, wildfire smoke and related particulate matter and ash, in violation of Health and
18 Safety Code sections 41700 and 41701(a). Health and Safety Code section 41700 prohibits the
19 discharge from any source whatsoever of quantities of air contaminants or other material that cause
20 injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or
21 that endanger the comfort, repose, health, or safety of any of those persons or the public, or that
22 cause, or have a natural tendency to cause, injury or damage to business or property. Health and
23 Safety Code section 41701 prohibits the discharge into the atmosphere from any source whatsoever
24 of any air contaminant, other than uncombined water vapor, for a period or periods aggregating more
25 than three minutes in any one hour which is as dark or darker in shade as that designated as No. 2 on
26 the Ringelmann Chart, as published by the United States Bureau of Mines.
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COUNT 15

On or about October 25, 2019, in the County of Sonoma, State of California, the crime of Reckless Emission Of Air Contaminants in violation of HS 42400.3(b), a Misdemeanor, was committed in that PACIFIC GAS AND ELECTRIC COMPANY, the Defendant, with reckless disregard for the risk of great bodily injury to, or death of, any person, did emit an air contaminant, to wit, wildfire smoke, and related particulate matter and ash, in violation of Health and Safety Code section 41700, that did result in an unreasonable risk of great bodily injury to, or death of, any person.

COUNT 16

On or about October 26, 2019, in the County of Sonoma, State of California, the crime of Negligent Emission Of Air Contaminants in violation of HS 42400.1(a), a Misdemeanor, was committed in that PACIFIC GAS AND ELECTRIC COMPANY, the Defendant, did negligently emit an air contaminant, to wit, wildfire smoke and related particulate matter and ash, in violation of Health and Safety Code sections 41700 and 41701(a). Health and Safety Code section 41700 prohibits the discharge from any source whatsoever of quantities of air contaminants or other material that cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or that endanger the comfort, repose, health, or safety of any of those persons or the public, or that cause, or have a natural tendency to cause, injury or damage to business or property. Health and Safety Code section 41701 prohibits the discharge into the atmosphere from any source whatsoever of any air contaminant, other than uncombined water vapor, for a period or periods aggregating more than three minutes in any one hour which is as dark or darker in shade as that designated as No. 2 on the Ringelmann Chart, as published by the United States Bureau of Mines.

COUNT 17

1
2 On or about October 26, 2019, in the County of Sonoma, State of California, the crime of Reckless
3 Emission Of Air Contaminants in violation of HS 42400.3(b), a Misdemeanor, was committed in that
4 PACIFIC GAS AND ELECTRIC COMPANY, the Defendant, with reckless disregard for the risk of
5 great bodily injury to, or death of, any person, did emit an air contaminant, to wit, wildfire smoke,
6 and related particulate matter and ash, in violation of Health and Safety Code section 41700, that did
7 result in an unreasonable risk of great bodily injury to, or death of, any person.
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10 COUNT 18

11 On or about October 27, 2019, in the County of Sonoma, State of California, the crime of Negligent
12 Emission Of Air Contaminants in violation of HS 42400.1(a), a Misdemeanor, was committed in that
13 PACIFIC GAS AND ELECTRIC COMPANY, the Defendant, did negligently emit an air
14 contaminant, to wit, wildfire smoke and related particulate matter and ash, in violation of Health and
15 Safety Code sections 41700 and 41701(a). Health and Safety Code section 41700 prohibits the
16 discharge from any source whatsoever of quantities of air contaminants or other material that cause
17 injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or
18 that endanger the comfort, repose, health, or safety of any of those persons or the public, or that
19 cause, or have a natural tendency to cause, injury or damage to business or property. Health and
20 Safety Code section 41701 prohibits the discharge into the atmosphere from any source whatsoever
21 of any air contaminant, other than uncombined water vapor, for a period or periods aggregating more
22 than three minutes in any one hour which is as dark or darker in shade as that designated as No. 2 on
23 the Ringelmann Chart, as published by the United States Bureau of Mines.
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COUNT 19

1
2 On or about October 27, 2019, in the County of Sonoma, State of California, the crime of Reckless
3 Emission Of Air Contaminants in violation of HS 42400.3(b), a Misdemeanor, was committed in that
4 PACIFIC GAS AND ELECTRIC COMPANY, the Defendant, with reckless disregard for the risk of
5 great bodily injury to, or death of, any person, did emit an air contaminant, to wit, wildfire smoke,
6 and related particulate matter and ash, in violation of Health and Safety Code section 41700, that did
7 result in an unreasonable risk of great bodily injury to, or death of, any person.
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10 COUNT 20

11 On or about October 28, 2019, in the County of Sonoma, State of California, the crime of Negligent
12 Emission Of Air Contaminants in violation of HS 42400.1(a), a Misdemeanor, was committed in that
13 PACIFIC GAS AND ELECTRIC COMPANY, the Defendant, did negligently emit an air
14 contaminant, to wit, wildfire smoke and related particulate matter and ash, in violation of Health and
15 Safety Code sections 41700 and 41701(a). Health and Safety Code section 41700 prohibits the
16 discharge from any source whatsoever of quantities of air contaminants or other material that cause
17 injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or
18 that endanger the comfort, repose, health, or safety of any of those persons or the public, or that
19 cause, or have a natural tendency to cause, injury or damage to business or property. Health and
20 Safety Code section 41701 prohibits the discharge into the atmosphere from any source whatsoever
21 of any air contaminant, other than uncombined water vapor, for a period or periods aggregating more
22 than three minutes in any one hour which is as dark or darker in shade as that designated as No. 2 on
23 the Ringelmann Chart, as published by the United States Bureau of Mines.
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COUNT 21

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2 On or about October 28, 2019, in the County of Sonoma, State of California, the crime of Reckless
3 Emission Of Air Contaminants in violation of HS 42400.3(b), a Misdemeanor, was committed in that
4 PACIFIC GAS AND ELECTRIC COMPANY, the Defendant, with reckless disregard for the risk of
5 great bodily injury to, or death of, any person, did emit an air contaminant, to wit, wildfire smoke,
6 and related particulate matter and ash, in violation of Health and Safety Code section 41700, that did
7 result in an unreasonable risk of great bodily injury to, or death of, any person.
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10 COUNT 22

11 On or about October 29, 2019, in the County of Sonoma, State of California, the crime of Negligent
12 Emission Of Air Contaminants in violation of HS 42400.1(a), a Misdemeanor, was committed in that
13 PACIFIC GAS AND ELECTRIC COMPANY, the Defendant, did negligently emit an air
14 contaminant, to wit, wildfire smoke and related particulate matter and ash, in violation of Health and
15 Safety Code sections 41700 and 41701(a). Health and Safety Code section 41700 prohibits the
16 discharge from any source whatsoever of quantities of air contaminants or other material that cause
17 injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or
18 that endanger the comfort, repose, health, or safety of any of those persons or the public, or that
19 cause, or have a natural tendency to cause, injury or damage to business or property. Health and
20 Safety Code section 41701 prohibits the discharge into the atmosphere from any source whatsoever
21 of any air contaminant, other than uncombined water vapor, for a period or periods aggregating more
22 than three minutes in any one hour which is as dark or darker in shade as that designated as No. 2 on
23 the Ringelmann Chart, as published by the United States Bureau of Mines.
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COUNT 23

1
2 On or about October 29, 2019, in the County of Sonoma, State of California, the crime of Reckless
3 Emission Of Air Contaminants in violation of HS 42400.3(b), a Misdemeanor, was committed in that
4 PACIFIC GAS AND ELECTRIC COMPANY, the Defendant, with reckless disregard for the risk of
5 great bodily injury to, or death of, any person, did emit an air contaminant, to wit, wildfire smoke,
6 and related particulate matter and ash, in violation of Health and Safety Code section 41700, that did
7 result in an unreasonable risk of great bodily injury to, or death of, any person.
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10 COUNT 24

11 On or about October 30, 2019, in the County of Sonoma, State of California, the crime of Negligent
12 Emission Of Air Contaminants in violation of HS 42400.1(a), a Misdemeanor, was committed in that
13 PACIFIC GAS AND ELECTRIC COMPANY, the Defendant, did negligently emit an air
14 contaminant, to wit, wildfire smoke and related particulate matter and ash, in violation of Health and
15 Safety Code sections 41700 and 41701(a). Health and Safety Code section 41700 prohibits the
16 discharge from any source whatsoever of quantities of air contaminants or other material that cause
17 injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or
18 that endanger the comfort, repose, health, or safety of any of those persons or the public, or that
19 cause, or have a natural tendency to cause, injury or damage to business or property. Health and
20 Safety Code section 41701 prohibits the discharge into the atmosphere from any source whatsoever
21 of any air contaminant, other than uncombined water vapor, for a period or periods aggregating more
22 than three minutes in any one hour which is as dark or darker in shade as that designated as No. 2 on
23 the Ringelmann Chart, as published by the United States Bureau of Mines.
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COUNT 25

1
2 On or about October 30, 2019, in the County of Sonoma, State of California, the crime of Reckless
3 Emission Of Air Contaminants in violation of HS 42400.3(b), a Misdemeanor, was committed in that
4 PACIFIC GAS AND ELECTRIC COMPANY, the Defendant, with reckless disregard for the risk of
5 great bodily injury to, or death of, any person, did emit an air contaminant, to wit, wildfire smoke,
6 and related particulate matter and ash, in violation of Health and Safety Code section 41700, that did
7 result in an unreasonable risk of great bodily injury to, or death of, any person.
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COUNT 26

11 On or about October 31, 2021, in the County of Sonoma, State of California, the crime of Negligent
12 Emission Of Air Contaminants in violation of HS 42400.1(a), a Misdemeanor, was committed in that
13 PACIFIC GAS AND ELECTRIC COMPANY, the Defendant, did negligently emit an air
14 contaminant, to wit, wildfire smoke and related particulate matter and ash, in violation of Health and
15 Safety Code sections 41700 and 41701(a). Health and Safety Code section 41700 prohibits the
16 discharge from any source whatsoever of quantities of air contaminants or other material that cause
17 injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or
18 that endanger the comfort, repose, health, or safety of any of those persons or the public, or that
19 cause, or have a natural tendency to cause, injury or damage to business or property. Health and
20 Safety Code section 41701 prohibits the discharge into the atmosphere from any source whatsoever
21 of any air contaminant, other than uncombined water vapor, for a period or periods aggregating more
22 than three minutes in any one hour which is as dark or darker in shade as that designated as No. 2 on
23 the Ringelmann Chart, as published by the United States Bureau of Mines.
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COUNT 27

1
2 On or about October 31, 2019, in the County of Sonoma, State of California, the crime of Reckless
3 Emission Of Air Contaminants in violation of HS 42400.3(b), a Misdemeanor, was committed in that
4 PACIFIC GAS AND ELECTRIC COMPANY, the Defendant, with reckless disregard for the risk of
5 great bodily injury to, or death of, any person, did emit an air contaminant, to wit, wildfire smoke,
6 and related particulate matter and ash, in violation of Health and Safety Code section 41700, that did
7 result in an unreasonable risk of great bodily injury to, or death of, any person.
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10 COUNT 28

11 On or about November 1, 2019, in the County of Sonoma, State of California, the crime of Negligent
12 Emission Of Air Contaminants in violation of HS 42400.1(a), a Misdemeanor, was committed in that
13 PACIFIC GAS AND ELECTRIC COMPANY, the Defendant, did negligently emit an air
14 contaminant, to wit, wildfire smoke and related particulate matter and ash, in violation of Health and
15 Safety Code sections 41700 and 41701(a). Health and Safety Code section 41700 prohibits the
16 discharge from any source whatsoever of quantities of air contaminants or other material that cause
17 injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or
18 that endanger the comfort, repose, health, or safety of any of those persons or the public, or that
19 cause, or have a natural tendency to cause, injury or damage to business or property. Health and
20 Safety Code section 41701 prohibits the discharge into the atmosphere from any source whatsoever
21 of any air contaminant, other than uncombined water vapor, for a period or periods aggregating more
22 than three minutes in any one hour which is as dark or darker in shade as that designated as No. 2 on
23 the Ringelmann Chart, as published by the United States Bureau of Mines.
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COUNT 29

1
2 On or about November 2, 2019, in the County of Sonoma, State of California, the crime of Negligent
3 Emission Of Air Contaminants in violation of HS 42400.1(a), a Misdemeanor, was committed in that
4 PACIFIC GAS AND ELECTRIC COMPANY, the Defendant, did negligently emit an air
5 contaminant, to wit, wildfire smoke and related particulate matter and ash, in violation of Health and
6 Safety Code sections 41700 and 41701(a). Health and Safety Code section 41700 prohibits the
7 discharge from any source whatsoever of quantities of air contaminants or other material that cause
8 injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or
9 that endanger the comfort, repose, health, or safety of any of those persons or the public, or that
10 cause, or have a natural tendency to cause, injury or damage to business or property. Health and
11 Safety Code section 41701 prohibits the discharge into the atmosphere from any source whatsoever
12 of any air contaminant, other than uncombined water vapor, for a period or periods aggregating more
13 than three minutes in any one hour which is as dark or darker in shade as that designated as No. 2 on
14 the Ringelmann Chart, as published by the United States Bureau of Mines.
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18 COUNT 30

19 On or about November 3, 2019, in the County of Sonoma, State of California, the crime of Negligent
20 Emission Of Air Contaminants in violation of HS 42400.1(a), a Misdemeanor, was committed in that
21 PACIFIC GAS AND ELECTRIC COMPANY, the Defendant, did negligently emit an air
22 contaminant, to wit, wildfire smoke and related particulate matter and ash, in violation of Health and
23 Safety Code sections 41700 and 41701(a). Health and Safety Code section 41700 prohibits the
24 discharge from any source whatsoever of quantities of air contaminants or other material that cause
25 injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or
26 that endanger the comfort, repose, health, or safety of any of those persons or the public, or that
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1 cause, or have a natural tendency to cause, injury or damage to business or property. Health and
2 Safety Code section 41701 prohibits the discharge into the atmosphere from any source whatsoever
3 of any air contaminant, other than uncombined water vapor, for a period or periods aggregating more
4 than three minutes in any one hour which is as dark or darker in shade as that designated as No. 2 on
5 the Ringelmann Chart, as published by the United States Bureau of Mines.

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COUNT 31

On or about November 4, 2019, in the County of Sonoma, State of California, the crime of Negligent
Emission Of Air Contaminants in violation of HS 42400.1(a), a Misdemeanor, was committed in that
PACIFIC GAS AND ELECTRIC COMPANY, the Defendant, did negligently emit an air
contaminant, to wit, wildfire smoke and related particulate matter and ash, in violation of Health and
Safety Code sections 41700 and 41701(a). Health and Safety Code section 41700 prohibits the
discharge from any source whatsoever of quantities of air contaminants or other material that cause
injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or
that endanger the comfort, repose, health, or safety of any of those persons or the public, or that
cause, or have a natural tendency to cause, injury or damage to business or property. Health and
Safety Code section 41701 prohibits the discharge into the atmosphere from any source whatsoever
of any air contaminant, other than uncombined water vapor, for a period or periods aggregating more
than three minutes in any one hour which is as dark or darker in shade as that designated as No. 2 on
the Ringelmann Chart, as published by the United States Bureau of Mines.

COUNT 32

On or about November 5, 2019, in the County of Sonoma, State of California, the crime of Negligent
Emission Of Air Contaminants in violation of HS 42400.1(a), a Misdemeanor, was committed in that

1 PACIFIC GAS AND ELECTRIC COMPANY, the Defendant, did negligently emit an air
2 contaminant, to wit, wildfire smoke and related particulate matter and ash, in violation of Health and
3 Safety Code sections 41700 and 41701(a). Health and Safety Code section 41700 prohibits the
4 discharge from any source whatsoever of quantities of air contaminants or other material that cause
5 injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or
6 that endanger the comfort, repose, health, or safety of any of those persons or the public, or that
7 cause, or have a natural tendency to cause, injury or damage to business or property. Health and
8 Safety Code section 41701 prohibits the discharge into the atmosphere from any source whatsoever
9 of any air contaminant, other than uncombined water vapor, for a period or periods aggregating more
10 than three minutes in any one hour which is as dark or darker in shade as that designated as No. 2 on
11 the Ringelmann Chart, as published by the United States Bureau of Mines.
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COUNT 33

On or about November 6, 2019, in the County of Sonoma, State of California, the crime of Negligent
Emission Of Air Contaminants in violation of HS 42400.1(a), a Misdemeanor, was committed in that
PACIFIC GAS AND ELECTRIC COMPANY, the Defendant, did negligently emit an air
contaminant, to wit, wildfire smoke and related particulate matter and ash, in violation of Health and
Safety Code sections 41700 and 41701(a). Health and Safety Code section 41700 prohibits the
discharge from any source whatsoever of quantities of air contaminants or other material that cause
injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or
that endanger the comfort, repose, health, or safety of any of those persons or the public, or that
cause, or have a natural tendency to cause, injury or damage to business or property. Health and
Safety Code section 41701 prohibits the discharge into the atmosphere from any source whatsoever
of any air contaminant, other than uncombined water vapor, for a period or periods aggregating more

1 than three minutes in any one hour which is as dark or darker in shade as that designated as No. 2 on
2 the Ringelmann Chart, as published by the United States Bureau of Mines.

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5 TOLLING AGREEMENT

6 It is further alleged as to Counts 6 to 33, that on September 25, 2020, the People and
7 Defendant entered into a written agreement whereby Defendant knowingly, intelligently, and
8 voluntarily waived any applicable statute of limitations defense for any criminal charges related to
9 the Kincade Fire that might have expired on or about October 23, 2020, for a period of six (6)
10 months, until April 23, 2021. In the written agreement, Defendant further acknowledged and agreed
11 that it was to its benefit to waive any applicable statute of limitations defense, and that such waiver
12 did not handicap its defense, and did not contravene public policy.

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15 MARSY'S LAW

16 Information contained in the reports being distributed as discovery in this case may contain
17 confidential information protected by Marsy's Law and the amendments to the State of California
18 Constitution Section 28. Any victim(s) in any above referenced charge(s) is entitled to be safe and
19 free from intimidation, harassment, and abuse. The defendant(s), defense counsel, and any other
20 person acting on behalf of the defendant(s) is admonished not to use any information contained in
21 the reports to locate or harass any victim or the victim(s)' family and to not disclose any
22 information that is otherwise privileged and confidential by law. Additionally, it is a misdemeanor
23 violation of Penal Code Section 1054.2(a)(3) to disclose the address and telephone number of a
24 victim or witness to a defendant, defendant's family member, or anyone else. Note exceptions
25 provided in Penal Code Section 1054.2(a)(1) and (2).

1 Discovery Request: Pursuant to Penal Code Section 1054.5(b), the People are hereby
2 informally requesting that defense counsel provide discovery to the people as required by Penal
3 Code Section 1054.3.

4 Complainant therefore prays that a warrant issue and that said defendant be dealt with
5 according to law. I declare under penalty of perjury under the laws of the State of California, based
6 on information and belief, that the foregoing is true and correct.

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8 Dated: April 5, 2021

9 By: 

10 JILL R RAVITCH
11 DISTRICT ATTORNEY
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