

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

**SOUTHERN CALIFORNIA GAS COMPANY'S (U 904 G) EMERGENCY MOTION
FOR A PROTECTIVE ORDER STAYING ALL PENDING AND FUTURE DATA
REQUESTS FROM THE CALIFORNIA PUBLIC ADVOCATES OFFICE SERVED
OUTSIDE OF ANY PROCEEDING (RELATING TO THE BUILDING
DECARBONIZATION MATTER), AND ANY MOTIONS AND MEET AND CONFERS
RELATED THERETO, DURING CALIFORNIA GOVERNMENT COVID-19
EMERGENCY "SAFER AT HOME" ORDERS**

**PUBLIC VERSION
(DECLARATION NUMBERS 4 & 5 CONFIDENTIAL)**

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**PUBLIC VERSION
(DECLARATION NUMBERS 4 & 5 CONFIDENTIAL)**

Pursuant to California Public Utilities Code Section 309.5(e),¹ Southern California Gas Company (SoCalGas) respectfully submits this Emergency Motion for a Protective Order Staying All Pending and Future Data Requests From the California Public Advocates Office (Cal Advocates) Served Outside of any Proceeding (Relating to the Building Decarbonization Matter), and Any Motions and Meet and Confers Related Thereto, During California Government COVID-19 Emergency “Safer at Home” Orders.²

¹ Public Utilities Code Section 309.5(e) provides: (e) The office may compel the production or disclosure of any information it deems necessary to perform its duties from any entity regulated by the commission, **provided that any objections to any request for information shall be decided in writing by the assigned commissioner or by the president of the commission, if there is no assigned commissioner.** Cal. Pub. Util. Code § 309.5 (emphasis added). “The Legislature’s chosen language is the most reliable indicator of its intent because it is the language of the statute itself that has successfully braved the legislative gauntlet. We give the words of the statute ‘a plain and commonsense meaning’ unless the statute specifically defines the words to give them a special meaning.” *MacIsaac v. Waste Mgmt. Collection & Recycling, Inc.*, 134 Cal. App. 4th 1076, 1082–83 (2005) (citations and quotations omitted).

A plain meaning reading of the Section 309.5(e) is that an objection, such as this emergency motion for protective order, shall be decided in writing by the assigned commissioner or by the president of the Commission if there is no assigned commissioner. There is no assigned commissioner to this matter. SoCalGas is therefore presenting its objection to the President of the Commission, under Section 309.5(e).

² SoCalGas understands that Cal Advocates has also propounded discovery on and about Sempra Energy. To the extent the requested protective order is granted, SoCalGas believes it should apply to Sempra Energy as well. Nothing here should be interpreted to waive any further objections Sempra Energy might have

I. INTRODUCTION

Since March 19, 2020, SoCalGas and its employees (like all Californians) have been subject to mandatory government orders stemming from the COVID-19 pandemic requiring residents of California to stay at home, avoid non-essential travel, and practice strict social distancing when in the vicinity of others. SoCalGas, as a natural gas utility, is designated as part of an “essential critical infrastructure” sector to maintain continuity of operations deemed critical to protect health and well-being of all Californians. As such, SoCalGas is focused on the safety of its customers, employees, and the public, while providing essential repair and maintenance services during the COVID-19 pandemic.

Notwithstanding this crisis, the California Public Advocates Office (Cal Advocates) continues to seek burdensome discovery from SoCalGas (outside any open proceeding), even though the key employees involved in SoCalGas’s response to Cal Advocates’ discovery requests are busy leading significant parts of SoCalGas’s relief efforts critical to the public, or are juggling work responsibilities while providing childcare without assistance due to school and day care closures. SoCalGas simply cannot respond at present to Cal Advocates’ continuous discovery demands—in light of the COVID-19 emergency.

Accordingly, SoCalGas is seeking a stay of all discovery from Cal Advocates served outside of any proceeding (originally related to the Building Decarbonization matter) until two weeks after the State of California, Los Angeles County, and Los Angeles City “Safer at Home” Orders are no longer effective. If left unable to defend itself in response to Cal Advocates’ demands, SoCalGas will suffer irreparable harm. On the other side, Cal Advocates has not identified any urgent need for the discovery it seeks. Cal Advocates will suffer no harm from the requested short-term stay (presently expected to extend until early-to-mid-May); because these requests are served outside of any active proceeding, a stay will not delay any active proceeding. This duration is not unreasonable when viewed against Cal Advocates’ ongoing 10-month informal investigation outside of any proceeding, as no formal action has been taken despite already serving 12 sets of data request responses with nearly 100 individual questions. The requested stay not only will further the efficient resolution of this matter with minimal involvement from the Commission, it will allow SoCalGas to focus its resources on the important task of providing critical services to the public during the COVID-19 pandemic. This motion should therefore be granted.

II. FACTUAL BACKGROUND AND PROCEDURAL HISTORY

A. Cal Advocates' Discovery Stems from the Building Decarbonization Matter

This discovery dispute stems from the California Public Utilities Commission's (CPUC) Building Decarbonization Rulemaking (R.) 19-01-011. However, Cal Advocates discovery is not served as part of the proceeding. In R.19-01-011, an entity called Californians For Balanced Energy Solutions (C4BES) filed a motion to become a party to the proceeding. Mot. for Party Status of Californians for Balanced Energy Solutions, *Order Instituting Rulemaking Regarding Building Decarbonization*, Rulemaking 19-01-011 (filed Mar. 13, 2019). Sierra Club later filed a motion to deny C4BES's party status in the Building Decarbonization matter, contending that C4BES has an allegedly improper relationship with SoCalGas. Sierra Club's Mot. to Deny Party Status to Californians for Balanced Energy Solutions or, in the Alternative, to Grant Motion to Compel Discovery, *Order Instituting Rulemaking Regarding Building Decarbonization*, Rulemaking 19-01-011 (filed May 14, 2019), at 1–2. C4BES withdrew its motion and is no longer a party to the proceeding. C4BES Mot. to Withdraw Party Status, *Order Instituting Rulemaking Regarding Building Decarbonization*, Rulemaking 19-01-011 (filed Aug. 16, 2019).

In May 2019, Cal Advocates began serving data requests on SoCalGas regarding C4BES and Sierra Club's allegations outside of the proceeding. Declaration 5, ¶ 3. SoCalGas has diligently responded to each of those requests and has met and conferred in good faith with Cal Advocates on disputes arising out of those requests. *Id.*, ¶ 6. Cal Advocates' data requests have been voluminous; to date, it has propounded 13 rounds of data requests, consisting of more than 100 individual requests. *Id.*, ¶ 4.

B. The Safer at Home Orders and Their Impact on SoCalGas Employees

On March 19, 2020, Governor Gavin Newsom and Los Angeles Mayor Eric Garcetti each issued orders requiring all residents of the state of California to stay at home as much as possible and to avoid all non-essential travel. *See* Executive Order N-33-20, *available at* <https://www.gov.ca.gov/wp-content/uploads/2020/03/3.19.20-attested-EO-N-33-20-COVID-19-HEALTH-ORDER.pdf> (last visited March 22, 2020) (ordering “all individuals living in the state of California to stay home or at their place of residence” (subject to limited exceptions)) (State Order); Public Order Under City of Los Angeles Emergency Authority dated March 19, 2020, *available at*

https://www.lamayor.org/sites/g/files/wph446/f/article/files/SAFER_AT_HOME_ORDER2020.03.19.pdf (last visited March 25, 2020) (subject only to certain exceptions, “all persons living within the City of Los Angeles are hereby ordered to remain in their homes”) (LA City Order). The same day, the County of Los Angeles Department of Public Health issued an order prohibiting all indoor and private gatherings and all outdoor public and private events within a confined space, where at least 10 people are expected to attend. *See* Safer at Home Order for Control of COVID-19, *available at* http://file.lacounty.gov/SDSInter/lac/1070029_COVID-19_SaferAtHome_HealthOfficerOrder_20200319_Signed.pdf (last visited March 25, 2020) (LA County Order), and collectively with the State Order and the LA City Order, (Safer at Home Orders) or (Orders)).

Because SoCalGas is a gas utility providing essential services to the community at large, it is continuing to operate under the Orders. *See, e.g.*, LA City Order, at ¶ 5(vii)(o). Nevertheless, SoCalGas is required to provide that its employees maintain “strict social distancing.” *Id.* Accordingly, SoCalGas is taking precautionary measures to mitigate employees’ exposure to the Coronavirus and limit the possibility of infecting employees and customers. *See* <https://www.socalgas.com/coronavirus> (last visited March 22, 2020).

Dealing with the COVID-19 emergency has forced many SoCalGas employees—including at least two key employees to SoCalGas’s response to Cal Advocates’ data requests—to prioritize emergency-related responsibilities:

- Andy Carrasco, Director of Regional Public Affairs in the Strategy and Engagement, and Environmental group for SoCalGas, is responsible for overseeing SoCalGas’s Regional Public Affairs across the entirety of SoCalGas’s service territory with 30 employees. Declaration of Andy Carrasco (“Carrasco Decl.”), ¶ 1. He is the senior management employee responsible for reviewing and responding to data requests from Cal Advocates stemming from the Building Decarbonization matter. *Id.*, ¶ 3. His responsibilities include reviewing incoming data requests, coordinating with additional employees from various organizations within SoCalGas to locate requested documents or information, and approving SoCalGas’s response for submission to Cal Advocates. *Id.*

Effective March 20, 2020, Mr. Carrasco has been appointed as the Public Information Officer for the Incident Command System (ICS) activated by SoCalGas in the interest of its customers and employees. *Id.*, ¶ 4. His responsibilities there include using information from other members of the ICS and general staff to develop accurate, accessible, and complete information on the incident, and other matters of general interest for both internal and external audiences; monitoring public information for accuracy; acting as a liaison with elected and appointed officials; and interfacing with the public, media, other agencies, and stakeholders to provide information and updates based on changes in incident status. *Id.*, ¶ 5. Mr. Carrasco now devotes his full time and effort to SoCalGas's COVID-19 response, committing his entire workday, after hours, and weekends to these matters; accordingly, he will not be able to assist with responding to Cal Advocates' data requests for the foreseeable future. *Id.*, ¶¶ 6–8, 10.

- Shawane Lee, a Senior Counsel in the Regulatory Group for SoCalGas, is the lead attorney handling Cal Advocates' data requests related to Building Decarbonization served outside of a proceeding. Declaration of Shawane Lee ("Lee Decl."), ¶¶ 1, 3. Among other matters, she is also responsible for leading SoCalGas's regulatory work for its Emergency Disaster Relief and Low Income Application. *Id.* ¶ 3. Since March 4, 2020, when Governor Gavin Newsom declared a state emergency arising from the COVID-19 pandemic, a large majority of Ms. Lee's work hours have been devoted to Emergency Disaster Relief and Low-Income Assistance, including SoCalGas's COVID-19 response for Energy Savings Assistance. *Id.* ¶¶ 4–7. Because of her increased regulatory duties related to COVID-19, as well as new child- and elder-care responsibilities at home caused by the Safer at Home Orders, it will be a significant hardship for her to provide legal support on Cal Advocates' discovery requests. *Id.* ¶¶ 10–12.

Key employees to the response that have not been assigned emergency-related responsibilities are nonetheless impacted by SoCalGas's COVID-19 response. For example, a Public Policy Advisor in the Strategy and Engagement, and Environmental group at SoCalGas,

plays a lead role responding to Cal Advocates' discovery demands, including managing and providing oversight to SoCalGas's business units in responding to the requests. Declaration 4, ¶¶ 1, 3. Many of her colleagues, including her direct supervisor, have been assigned to SoCalGas's Incident Command System for COVID-19. *Id.*, ¶ 5. As a result, it has become difficult for her to schedule and conduct interviews and obtain information from SoCalGas business unit employees, necessary for SoCalGas's responses to Cal Advocates' data requests. *Id.*, ¶¶ 6–7.

The Safer at Home Orders have also forced SoCalGas employees involved in responding to Cal Advocates' discovery requests to juggle their work obligations with caring for their children and/or elderly relatives without any assistance. For example, Ms. Lee is primarily responsible for caring for her elderly mother and supervising and teaching her 13-year-old twin daughters who cannot attend school due to the Safer at Home Orders. Lee Decl., ¶¶ 10–11. Other key employees to SoCalGas's response to Cal Advocates' discovery demands face similar challenges with childcare. *See* Declaration 5, ¶¶ 1, 8 (the lead regulatory case manager working on Cal Advocates' inspection demands; she has a 16-month-old daughter who is currently unable to attend day care); Tran Decl., ¶¶ 3–4 (wife is a healthcare professional whose job duties require her to be physically at the hospital during work hours; because daycare centers are closed by the Orders, he is the sole parent available to provide child care for their two young children when his wife is at work, which severely limits his availability for work at those times).

SoCalGas's COVID-19 response will also impact SoCalGas's ability to respond to Cal Advocates' discovery requests. Carrasco Decl., ¶ 8. All levels of SoCalGas employees, including executive and senior management personnel, are participating in emergency planning and response functions related to the COVID-19 crisis, or are members of SoCalGas's ICS. *Id.* ¶ 9. Securing the time for input, review, and approvals for responses to Cal Advocates' discovery and confidentiality declarations during this emergency is very difficult. *Id.* ¶ 11; *see also* Declaration 4, ¶¶ 5, 7. Also, many SoCalGas employees are also working from home, which makes getting physical signatures on confidentiality declarations much more difficult. Declaration 4, ¶ 8.

C. Cal Advocates Continues to Seek Burdensome Discovery, Notwithstanding the Safer at Home Orders and Their Impact on SoCalGas

Notwithstanding the COVID-19 emergency, Cal Advocates is demanding burdensome discovery outside of any open proceeding. On March 20, 2020—the day after the Safer at Home

Orders went into effect—Cal Advocates served their thirteenth set of data requests (DR-13) on SoCalGas. DR-13 is burdensome, seeking a very broad set of documents and information to be responded to within 15 business days. Declaration 5, ¶ 5; *id.*, Ex. A. As just a few examples of DR-13’s overbroad scope, it demands “*all* documents related to SoCalGas and Sempra training and reporting programs that are used to ensure compliance with the Sempra Energy Political Activities Policy;” an identification of “*all* SoCalGas and Sempra Energy employees who have lobbied at any time between January 1, 2015 and today regarding issues related to decarbonization”; and “[f]or all SoCalGas and Sempra Employees who have lobbied at any time between January 1, 2015 and today on behalf of either organization, please identify by each employee and for each year the portion of their time allocated to ratepayer-funding lobbying, and quantify the monetary value of that work for each employee by year.” *Id.* (Request Nos. 1, 5, 9).

Cal Advocates has also indicated it will file a motion to compel regarding a dispute on another data request. On March 12, 2020, Ms. Lee told counsel for Cal Advocates that SoCalGas employees were dealing with several issues related to the COVID-19 emergency. Lee Decl., ¶ 13. On March 19, 2020, the parties met and conferred about SoCalGas’s confidentiality designation for 209 pages produced in response to one of Cal Advocates’ data requests. Lee Decl., ¶ 14. On March 20, 2020, counsel for Cal Advocates sent an email making additional demands for information related to the confidentiality designations, including one to be completed within one week. *Id.* ¶ 16–17.³ The email also indicated that Cal Advocates is planning to file a motion seeking sanctions against Ms. Lee personally for purportedly meeting and conferring in bad faith. *Id.*, Ex. A.

D. Cal Advocates Rejected SoCalGas’s Request for the Stay

On March 23, 2020, counsel for SoCalGas sent an email to counsel for Cal Advocates requesting its agreement to the stay sought by this Emergency Motion. Tran Decl., ¶ 5; *id.* Ex. A. In that email, SoCalGas explained that the Safer at Home Orders have impacted SoCalGas’s

³ The email demanded that SoCalGas (1) “carefully review the 209 pages” of documents containing confidentiality redactions to “ensure that those redactions that remain are consistent with well-established claims of confidentiality” and “[f]or each page that [the company] continue[s] to claim contains confidential information” “provide citations to the relevant supporting law”; (2) “provide [a] list of redactions that will be removed” from the pages,” and “specific supporting authorities for continued claims of confidentiality no later than” within a week; and (3) “identify the Energy Division staff Ms. Lee has been working with regarding the COVID 19 issues, including the leader of the call she was required to attend on March 19”. Lee Decl., ¶¶ 16-17.

“legal staff and business unit employees who have been key in responding to Cal[] Advocates’ data requests” who are “now working from home” and “[m]any are affected by the closure of schools and day cares,” and that “some of the key people in responding to Cal Advocate’s data requests and other demands have been tasked with work directly related to the emergency.” *Id.* The email also explained that because “SoCalGas is focusing its energies on maintaining continuity of operations and focusing on the safety of its customers, employees, and the public, while providing essential repair and maintenance services during the COVID-19 pandemic,” “SoCalGas cannot at this time continue to devote significant resources in responding to Cal Advocates’ data requests.” *Id.* Counsel for Cal Advocates sent an email later the same day asking, among other things, why SoCalGas “cannot respond to discovery requests remotely” and “cannot participate in a meet and confer conference call remotely.” Tran Decl., ¶ 6; *id.*, Ex. B. Counsel for SoCalGas responded the same day, reiterating the points stated in his earlier email and provided additional information to Cal Advocates questions. *Id.*, Ex. B.

On March 24, 2020, Cal Advocates responded to SoCalGas’s March 23 email. Although Cal Advocates stated that it “appreciate[s] the challenges that the COVID-19 crisis has placed” on SoCalGas and is “more than willing to work with SoCalGas to ensure it has adequate time to respond to the Cal Advocate’s data requests,” it rejected SoCalGas’s request for a stay. Tran Decl., ¶ 7; *id.* Ex. C. Cal Advocates continued to demand that SoCalGas respond to discovery during the COVID-19 crisis and proposed yet another meet and confer the same week. *Id.*, Ex. C; Ex. C. On March 25, 2020, prior to the filing of this Motion, counsel for SoCalGas sent an email informing Cal Advocates that because it was clear that Cal Advocates would continue to require SoCalGas to respond to data requests and participate in meet and confers, despite the reasons explained to Cal Advocates in counsel’s email correspondence, SoCalGas would file this Emergency Motion.

III. DISCUSSION

A. LEGAL STANDARD

The Commission has broad authority to stay discovery in matters under its jurisdiction. *See Karrison v. A&P Moving, Inc.*, 69 CPUC 2d 667 (1996) (staying all discovery requests in a matter before the Commission).

Here, the Commission should exercise its discretion and grant a protective order staying all discovery from Cal Advocates in this matter—including, without limitation, all pending and future discovery demands, and any motions to the Commission on discovery—for two reasons: (1) SoCalGas will suffer serious and irreparable harm in this matter absent a stay; and (2) Cal Advocates will not be harmed by a stay.

1. SoCalGas Will Suffer Irreparable Harm Absent A Stay.

Cal Advocates is unreasonably burdening SoCalGas with its continuous discovery demands despite the COVID-19 emergency and the Safer at Home Orders. Not only did Cal Advocates serve a broad set of data requests the day after the Safer at Home Orders went into effect, it has also stated it will file a motion to compel further responses to another data request. Absent a stay, SoCalGas will suffer irreparable harm in this matter.

SoCalGas simply cannot respond at this time to Cal Advocates' discovery requests. As mentioned above, each of the key SoCalGas employees involved in SoCalGas's response to the discovery requests are currently tasked with leading several critical responsibilities responding to the COVID-19 crisis or are juggling their work responsibilities with caring for their children at home. *See* Section II.b., *supra*. Furthermore, SoCalGas faces significant challenges in working with its business units to respond to Cal Advocates' discovery demands in this matter, and there are other logistical impacts hampering SoCalGas's ability to respond to Cal Advocates' discovery demands. *See id.* These impacts of the COVID-19 emergency will persist for the foreseeable future while the Safer at Home Orders are effective, rendering it infeasible to coordinate and handle responding to Cal Advocates' discovery demands in the interim. *Id.* Absent a stay, SoCalGas will not be able to provide adequate responses to Cal Advocates' discovery demands, leaving it vulnerable to motions to compel or for sanctions to which, if the present state continues, it will not be able to adequately respond. This would certainly constitute irreparable harm to SoCalGas in this matter.

These are very challenging times for our community, and SoCalGas is tasked with maintaining essential functions necessary to protect the well-being of, among others, families, healthcare institutions and first responders on the frontlines of the battle against Coronavirus. Under these circumstances, Cal Advocates' continuous discovery demands are distracting and diverting SoCalGas's resources away from supporting SoCalGas' response to the COVID-19 pandemic.

2. Cal Advocates Will Not Suffer Any Harm from A Stay.

A stay of discovery in this matter will cause no harm to Cal Advocates. Cal Advocates has not explained why immediate resolution of the present discovery disputes is necessary, and SoCalGas is not aware of any such need. These discovery requests are served outside of any active proceeding, as such, a stay will not delay any active proceeding. Cal Advocates apparently prefers to obtain information from SoCalGas as quickly as possible, but that preference cannot supersede the truly urgent matters SoCalGas is dealing with stemming from the COVID-19 pandemic that have critical implications for society at large, and it certainly does not constitute harm.

3. A Stay Until Two Weeks After the Safer at Home Orders Are Lifted Is Warranted Under the Circumstances

SoCalGas respectfully requests a stay of all discovery in this matter until two weeks after the Safer at Home Orders are no longer effective. SoCalGas expects that the key employees involved in this dispute will remain primarily tasked with emergency-related matters for the duration of the time the Safer at Home Orders are effective and/or will face continued challenges juggling in-home childcare with work responsibilities during this time. SoCalGas expects that a two-week period after the Safer at Home Orders are lifted will allow enough time for the key employees impacted by the Orders to get reacquainted with the discovery and resume their work in response to Cal Advocates' discovery demands. Presently, the LA City Order is scheduled to lapse on April 19, 2020; if the other Orders lapse at or around that time, the stay would last until early-to-mid-May.

IV. CONCLUSION

For the foregoing reasons, SoCalGas respectfully requests that the Commission issue a protective order staying all discovery from Cal Advocates served outside of a proceeding originally related to Building Decarbonization (including, without limitation, all pending and future discovery demands, and any meet and confers or motions to the Commission on discovery related thereto) until two weeks after the Safer at Home Orders are no longer effective.

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[PROPOSED] ORDER

On March 25, 2020, Southern California Gas Company (“SoCalGas”) filed an Emergency Motion for a Protective Order Staying All Pending and Future Data Requests From the California Public Advocates Office (“Cal Advocates”) Served Outside of any Proceeding (Relating to the Building Decarbonization Matter), and Any Motions and Meet and Confers Related Thereto, During California Government COVID-19 Emergency “Safer at Home” Orders (“Emergency Motion to Stay”). The Emergency Motion to Stay requests an order staying all discovery (including, without limitation, all pending and future discovery demands, meet and confers, and any motions to the Commission on discovery) from Cal Advocates served outside of any proceeding related to the Building Decarbonization Matter until two weeks after Executive Order N-33-20, *available at* <https://www.gov.ca.gov/wp-content/uploads/2020/03/3.19.20-attested-EO-N-33-20-COVID-19-HEALTH-ORDER.pdf> (last visited March 25, 2020), Public Order Under City of Los Angeles Emergency Authority dated March 19, 2020, *available at* https://www.lamayor.org/sites/g/files/wph446/f/article/files/SAFER_AT_HOME_ORDER2020.03.19.pdf (last visited March 25, 2020), and Safer at Home Order for Control of COVID-19, *available at* http://file.lacounty.gov/SDSInter/lac/1070029_COVID-19_SaferAtHome_HealthOfficerOrder_20200319_Signed.pdf (last visited March 25, 2020) (collectively, the “Safer at Home Orders”) are no longer effective. Having considered SoCalGas’s Emergency Motion to Stay and given the urgency of this request, SoCalGas’s Emergency Motion to Stay is granted.

ORDER

All discovery from Cal Advocates served outside of any proceeding (related to the Building Decarbonization matter) is hereby stayed until two weeks after the Safer at Home Orders are no longer effective.

SO ORDERED.

Dated: _____, 2020 at San Francisco, California.

President of the Commission, Marybel Batjer

**DECLARATION
NO. 1**

**Declaration of
Shawane L. Lee**

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

**DECLARATION OF SHAWANE L. LEE IN SUPPORT OF SOUTHERN CALIFORNIA
GAS COMPANY’S (U 904 G) EMERGENCY MOTION FOR A PROTECTIVE ORDER
STAYING ALL PENDING AND FUTURE DATA REQUESTS FROM CALIFORNIA
PUBLIC OFFICE ADVOCATES OFFICE SERVED OUTSIDE OF ANY PROCEEDING
(RELATING TO THE BUILDING DECARBONIZATION MATTER), AND ANY
MOTIONS AND MEET AND CONFERS RELATED THERETO, DURING
CALIFORNIA GOVERNMENT COVID-19 EMERGENCY “SAFER AT HOME”
ORDERS**

I, Shawane L. Lee, hereby declare as follows:

1. I am a Senior Counsel in the Regulatory Group for the Southern California Gas Company (SoCalGas). My responsibilities in this position include leading and providing legal support for SoCalGas business units for proceedings filed with the California Public Utilities Commission. I have been employed at SoCalGas for approximately 6 months. Prior to SoCalGas, I was employed as an Assistant General Counsel in the Regulatory Law Group for Exelon Corporation, PECO Energy Company for approximately 8 years.

2. I have personal knowledge of the facts set forth in this declaration, except as to those matters that are stated on belief or understanding, and as to matters, I believe them to be true. If called as a witness, I could and would testify competently as to the following:

3. From September 30, 2019, up to the present time, my responsibilities include leading the regulatory legal work for SoCalGas’s Emergency Disaster Relief, Low Income Application, Climate Change Adaptation and Microgrid proceedings. I also have a lead role handling data requests served outside of any proceeding by California Public Advocates Office (Cal Advocates) related to the Building Decarbonization matter.

4. On March 4, 2020, Governor Gavin Newsom declared a state of emergency arising from the COVID-19 (coronavirus) pandemic. On March 13, 2020, the President of the United States declared a national emergency for the same. As a result of the declarations of emergency, I have committed a large majority of my workday to Emergency Disaster Relief, including planning, preparing, drafting, editing and reviewing SoCalGas’s Advice Letter for consumer protections, which was filed on March 19. I continue to commit a substantial portion

of my workday providing legal advice and review for matters related to SoCalGas's COVID-19 response.

5. I am also the SoCalGas legal lead for the Low-Income Application proceeding and all matters related to Low Income. As a result of the national and state declaration of emergency for the COVID-19 pandemic, I support the CARE and Energy Savings Assistance (ESA) business units with the COVID-19 regulatory response, which includes, amongst other things, issues and motions related to pausing ESA contractor work and external communications to customers.

6. For instance, on March 19, 2020 at 1:30 PM, I joined a conference call scheduled by Energy Division, including Ed Randolph and Pete Skala, with regulatory and legal representatives from the Investor Owned Utilities (IOUs) to discuss our respective plans to modify Energy Efficiency and ESA program operations in response to COVID-19. I participated in the call as the legal lead for Low Income on behalf of SoCalGas. I have significant follow up work related to this call, including but not limited to responding to a motion filed by The East Los Angeles Community Union (TELACU) regarding paying ESA contractors during the pandemic, working with SoCalGas's business units on financial solutions for ESA contractors, and preparing and drafting the appropriate regulatory response.

7. As a result of the state and national declarations of emergency, my primary legal time, effort and focus is committed to SoCalGas's COVID-19 regulatory response.

8. As of March 13, 2020, at the direction of my management, I am telecommuting 100 percent from my home.

9. On March 19, 2020, Governor Newsom issued an order to California residents to stay at home indefinitely. On March 19, 2020, Los Angeles Mayor Eric Garcetti issued a Safer at Home emergency order, requiring residents of the City of Los Angeles to stay in their residences as much as possible and avoid all non-essential travel. I am a resident of Los Angeles County. I will continue to telecommute consistent with Governor Newsom and Mayor Garcetti's orders.

10. Because of the Safer at Home Orders, I am the sole person responsible for the care of my elderly mother who has an underlying illness and is shut in as a result of the COVID-19 virus, including making sure she has groceries, medication, cooked meals and companionship.

11. Because of the Safer at Home Orders, I am primarily responsible for monitoring the virtual education of my 13-year old twin daughters who no longer attend school in person as a result of Los Angeles County school closures.

12. With my increased regulatory legal duties related to COVID-19 and the care of my elderly mother and twin daughters, it is a significant and overwhelming hardship for me to effectively provide legal support for the multitude of aggressive data requests, motions, and combative meet and confers¹ propounded by Cal Advocates related to Building Decarbonization (outside of a proceeding).

13. For instance, on March 12, 2020, I had a telephone conversation with counsel for Cal Advocates, Traci Bone, and advised her that SoCalGas employees were dealing with issues related to the COVID-19 emergency.

14. On March 19, 2020 at 1:00 PM, SoCalGas Senior Counsel, Johnny Tran and I had a Meet and Confer with Attorney Traci Bone of Cal Advocates regarding the Confidentiality Markings for 209 documents produced in response to CalAdvocates-SC-SCG-2019-06.

15. Before the Meet and Confer began, I advised Attorney Bone that I had to leave the Meet and Confer for 30 minutes to join the Energy Division call scheduled from 1:30–2:00 PM. I reconvened the Meet and Confer at 2:00 PM.

16. On Friday, March 20, 2020, I received email correspondence from Attorney Bone demanding that I “Please identify the Energy Division staff Ms. Lee has been working with regarding the COVID 19 issues, including the leader of the call she was required to attend on March 19.” (A true and correct copy of this email correspondence excluding the attachment is attached as Exhibit A.)

17. In Attorney Bone’s March 20, 2020 email correspondence she additionally demanded that SoCalGas (1) “carefully review the 209 pages” of documents containing confidentiality redactions to “ensure that those redactions that remain are consistent with well-established claims of confidentiality” and “[f]or each page that [the company] continue[s] to claim contains confidential information” “provide citations to the relevant supporting law”; and

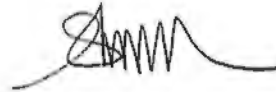
¹ On March 19, 2020, during a Meet and Confer, Attorney Traci Bone said she is filing a Motion for Sanctions against me personally for bad faith because she claims I did not adequately advise the SoCalGas business unit there is (allegedly) no basis for certain confidentiality markings. This is an example of the aggression and combative tactics I must endure during this challenging time.

(2) “provide [a] list of redactions that will be removed” from the pages,” and “specific supporting authorities for continued claims of confidentiality no later than” “within a week.”

18. The parties had a meet and confer scheduled on March 24, 2020 regarding Data Request 12. SoCalGas cancelled the meet and confer, in part because I was not available to participate in the meet and confer due to my duties related to the COVID-19 Low Income response. For instance, the evening of March 23, 2020, I received correspondence from the Energy Division directing SoCalGas to send a letter, in 24 hours, to the company’s ESA contractors regarding advance payments during the COVID-19 work pause. I worked the evening of March 23, 2020 and March 24 from 7:30 AM until 5:00 PM to complete the company’s response. It was not possible for me to participate in a meet and confer on March 24 and also produce a timely response to the Energy Division’s letter by 5:00 PM.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 24th day of March, 2020, at Los Angeles, California.



By: _____

SHAWANE L. LEE
Senior Counsel, SoCalGas

EXHIBIT A

From: Bone, Traci <traci.bone@cpuc.ca.gov>
Sent: Friday, March 20, 2020 4:54 PM
To: Lee, Shawane L; Tran, Johnny Q
Cc: Campbell, Michael; Castello, Stephen; Ward, Alec; Lyser, Shelly
Subject: [EXTERNAL] Summary of 3/19/2020 Meet and Confer re: Confidential Designations in 209 pages of materials
Attachments: RE: Confidentiality of Information in SoCalGas DRs provided to the Public Advocates Office

*** EXTERNAL EMAIL - Be cautious of attachments, web links, and requests for information ***

Ms. Lee and Mr. Tran:

The following summarizes our Meet and Confer on March 19, 2020, to discuss SoCalGas' claims of confidentiality for 209 pages of documents which SoCalGas has redacted. The conference call was attended by both of you as attorneys for SoCalGas, me, as an attorney for the Public Advocates Offices, and Stephen Castello, also with the Public Advocates Office.

I provides the 209 pages of confidential materials to you both via a secure web server on March 11, 2020, with each page numbered for ease of reference.

We had originally agreed to have this Meet and Confer on March 13, 2020, but on March 12, 2020, Ms. Lee proposed that we defer the Meet and Confer so that she could work with your clients to identify which redactions could be removed prior to our Meet and Confer so that we could have a speedier and more productive meeting. Ms. Lee implied during our conversation that this would result in a meaningful number of redactions being lifted. On this basis, I agreed with her proposal to extend the date of the Meet and Confer. I communicated this agreement in an email to you both, making clear that "given this significant extension, I expect that during our meet and confer on March 19, SoCalGas will limit itself to only good faith assertions of confidentiality and will be prepared to support such claims with relevant legal citations." See attached email chain dated March 12.

In Ms. Lee's confirming email, she retracted her representations on the call and suggested that "compromise" from the Office of Ratepayer Advocates was necessary: "I cannot confirm which documents or the number of documents that can be downgraded; therefore, I cannot agree there will be a "significant number" at this time. Hopefully, we will be able to come to a compromise regarding this matter." See attached email chain dated March 12.

The Meet and Confer regarding these issues occurred on Thursday, March 19, 2020. However, notwithstanding that the purpose of the extension had been so that Ms. Lee could identify those documents where the redactions could be removed, it quickly became evident during the Meet and Confer that Ms. Lee had not seriously considered which of the redactions were inappropriate and should be removed. For example, Ms. Lee insisted that the names of SoCalGas employees at pages 1-2 were entitled to confidentiality to, among other things, prevent them from receiving robocalls, even though no other personal identifying information regarding those employees was included in the relevant documents. She also insisted that the names of executives for various associations and

businesses at pages 1-2 were confidential, even though this information could be readily obtained on the internet.

Regarding page 3, Ms. Lee claimed that the names of public figure, such as former California governors, were confidential. Mr. Tran suggested that the name of an attorney on pages 3-4 was also potentially confidential as an attorney client communication. Ms. Lee also claimed that SoCalGas has a confidentiality provision in its contract with Marathon which prevents SoCalGas from releasing the prices that Marathon charges SoCalGas for their services without being in breach of contract.

For pages 5-19, which appear to be a single document, you claimed the entire document was confidential because it disclosed internal business strategy. Neither one of you had considered the likelihood that this document has been shared with other parties outside of SoCalGas so that it would not be confidential. You committed to look into the possibility that these documents have been shared with parties outside of SoCalGas.

Both of you repeatedly requested that I explain to you why a document should not be kept confidential. Neither of you acknowledged the basic law at issue here - that SoCalGas does not have a right to simply mark anything that its wants as confidential and that SoCalGas, not the Public Advocates Office, has the burden of showing why something is confidential consistent with the law. Rather, you treated this as a "negotiation" in which Public Advocates Office representatives had to make their case to you why the claim of confidentiality could not be sustained.

I was clear that it appears that none of the documents are confidential under the law and that all of the redactions should be lifted.

You did provide citations to two cases which you claim allow you to keep employee names and business strategies confidential.

As a result of extensive questioning by me during the Meet and Confer, you conceded that the names of C4BES Board members are not confidential, and that information readily available on the internet may not be confidential. You also affirmed that pages 1-2 were a SoCalGas document, but that you did not know if it had been shared with any party outside of SoCalGas.

You were unable to explain why an email on page 26 from a SoCalGas employee that included the Chair of the C4BES was confidential. You agreed to look into this.

Given these begrudging concessions which should have been provided without significant questioning by me, I expressed my concern that you were not acting in good faith when you requested the extension, that you were not familiar with the documents, and that you were continuing to make baseless claims of confidentiality. I explained that as an officer of the court you have a responsibility to ensure that the claims of confidentiality that your client has made are supported, and that I would not hesitate to seek sanctions against you for your failure to act in good faith to ensure that your client was not making baseless claims of confidentiality. I pointed out that I was familiar with SoCalGas' tactics in both this investigation, and the recent determinations of the court in the *Gandsy v. SoCalGas* case.

You both expressed that you were offended by my remarks because you could not be responsible for all of the redactions made in roughly 8,000 documents produced to the Public Advocates Offices. Ms. Lee also explained that she was working on Covid-19 issues with Energy Division and had many other competing priorities. I pointed out that the 8,000 documents were not at issue, just

the 209 pages that had been provided to you a week ago, and that I did not believe that Ms. Lee was acting consistent with her representations to me on Wednesday, March 12, 2020, that SoCalGas was seriously considering which redactions could be lifted.

Mr. Tran wanted to understand the reasons for making the information in the 209 pages public, and I explained that SoCalGas' use of ratepayer funds to develop business plans that undermine California's climate change goals were an issue of public importance that the public has a right to know about. Mr. Tran asserted that SoCalGas' advocacy in favor of natural gas and renewable gas was consistent with California policies. I replied that that was an open debate that requires an open forum.

At some point, we discussed the Public Affairs Managers (PAMs) identified on pages 1-2 and whether their salaries are paid by ratepayers, shareholders, or a combination, and whether and how SoCalGas allocates their time for those purposes. Both of you claimed to know nothing about those issues.

We concluded with the understanding that you would provide a list to us identifying where SoCalGas would agree to lift the confidentiality redactions and that the rest of the issues will be addressed in a Motion to the Commission's President.

In conclusion:

1. We encourage you to carefully review the 209 pages we have provided to you and that you ensure that those redactions that remain are consistent with well-established claims of confidentiality. For each page that you continue to claim contains confidential information, please provide citations to the relevant supporting law;
2. Please provide your list of redactions that will be removed, and specific supporting authorities for continued claims of confidentiality no later than a week from today, March 27, 2020. As an alternative to listing the redactions, you may choose instead to identify the lifting of the yellow highlights by coloring them green to indicate that SoCalGas is no longer claiming that the information is confidential;
3. Please identify the Energy Division staff Ms. Lee has been working with regarding the COVID 19 issues, including the leader of the call she was required to attend on March 19; and
4. Please confirm receipt of this email no later than Monday, March 23, 2020.

If you have any questions or concerns regarding the foregoing, please do not hesitate to contact me. The Public Advocates Office looks forward to your prompt resolution of these issues.

Traci Bone, Attorney
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102
Work: (415) 703-2048
Cell: (415) 713-3599
tbo@cpuc.ca.gov

**DECLARATION
NO. 2**

**Declaration of
Johnny Q. Tran**

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

**DECLARATION OF JOHNNY Q. TRAN IN SUPPORT OF SOUTHERN CALIFORNIA
GAS COMPANY’S (U 904 G) EMERGENCY MOTION FOR A PROTECTIVE ORDER
STAYING ALL PENDING AND FUTURE DATA REQUESTS FROM CALIFORNIA
PUBLIC OFFICE ADVOCATES OFFICE SERVED OUTSIDE OF ANY PROCEEDING
(RELATING TO THE BUILDING DECARBONIZATION MATTER), AND ANY
MOTIONS AND MEET AND CONFERS RELATED THERETO, DURING
CALIFORNIA GOVERNMENT COVID-19 EMERGENCY “SAFER AT HOME”
ORDERS**

I, Johnny Q. Tran, hereby declare as follows:

1. I am a resident of California over 18 years of age. I have personal knowledge of the facts set forth in this declaration, except as to those matters that are stated on belief or understanding, and as to those matters, I believe them to be true.

2. I am employed by Southern California Gas Company (“SoCalGas”) as Senior Counsel - Regulatory. I am the lead attorney for SoCalGas on the Building Decarbonization Proceeding, Rulemaking (R.) 19-01-011.

3. Due to the recent Coronavirus emergency, SoCalGas is allowing me to work from home full-time. My wife is a healthcare professional. Her job duties require her to be physically at the hospital. My wife and I have two young children (ages 2 and 4).

4. The daycare that my children attend is closed due to the Coronavirus emergency. As a result, on the days that my wife is at work, I am the sole caretaker of my children. My availability for work is severely limited on those days.

5. On March 23, 2020, I sent an email correspondence to Attorney Traci Bone, counsel for the California Public Advocates Office (“Cal Advocates”), requesting in light of the COVID-19 pandemic that Cal Advocates temporarily stay “all activities with respect to the data requests served [by Cal Advocates] outside of any proceeding . . . until two weeks after the expiration of the Statewide and City of Los Angeles stay-at-home order[s].” (A true and correct copy of this email is attached to this declaration as Exhibit A.)

6. On March 23, 2020, Ms. Bone replied to my March 23 email, asking me several questions including why I “cannot respond to discovery requests remotely,” and “cannot

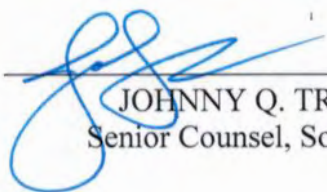
participate in a meet and confer conference call remotely.” I responded to Ms. Bone’s questions in an email sent the same day. (A true and correct copy of this email exchange is attached to this declaration as Exhibit B.)

7. On March 24, 2020, Ms. Bone sent me an email responding directly to my March 23 email (rather than responding to my most recent email to her.) In that email, Ms. Bone stated that while Cal Advocates “appreciate[s] the challenge that the COVID-19 crisis has placed” on SoCalGas and is “more than willing to work with SoCalGas to ensure it has adequate time to respond to the Cal Advocate’s data requests,” it rejected SoCalGas’s request for a temporary stay, instead continued to demand that SoCalGas respond to its discovery demands during the COVID-19 crisis and proposed a meet and confer for March 26 or March 27, 2020. (A true and correct copy of this email is attached to this declaration as Exhibit C.) Moreover, SoCalGas strongly disagrees with Ms. Bone’s portrayal of its efforts to respond to Cal Advocates’ data requests. Other than the most recent set of data requests (Set 13 which is due April 13), SoCalGas responded to all of Cal Advocates’ data requests, a total of 12 sets. Further, SoCalGas has already complied with both of ALJ DeAngelis’ orders by producing the documents at issue.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 25 day of March, 2020, at Fullerton, California.

By: _____



JOHNNY Q. TRAN
Senior Counsel, SoCalGas

EXHIBIT A

Tran, Johnny Q

From: Tran, Johnny Q
Sent: Monday, March 23, 2020 6:02 PM
To: Bone, Traci
Cc: Lee, Shawane L
Subject: Meet and Confer Regarding SoCalGas' Emergency Motion for Protective Order

Ms. Bone:

As you know, on Thursday, March 19, 2020, Governor Newsom issued a stay-at-home order. The City of Los Angeles issued a similar order that same day. These orders have impacted SoCalGas's business operations and its personnel. The legal staff and business unit employees who have been key in responding to California Advocates' data requests are now working from home. Many are affected by the closure of schools and daycares. Moreover, some of the key people to responding to Cal Advocates' data requests and other demands have been tasked with work directly related to the emergency. As I am sure you can understand, SoCalGas' business operations are stretched at this time.

As a natural gas utility, SoCalGas is required to operate. However, SoCalGas is focusing its energies on maintaining continuity of operations and focusing on the safety of its customers, employees and the public, while providing essential repairs and maintenance services during the COVID-19 pandemic. In light of the COVID-19 pandemic, SoCalGas cannot at this time continue to devote significant resources to responding to Cal Advocate's data requests.

We recognize that Cal Advocates has an important statutory role. Accordingly, SoCalGas is reluctant to ask for a stay. Unfortunately, the COVID-19 crisis is growing day by day and SoCalGas' main focus is the health and safety of its customers and employees, as well as the community at large. For this reason, we are hopeful that Cal Advocates will agree that activities with respect to the data requests served outside of any proceeding – i.e., any further requests or responses, meet and confers (including our call currently scheduled for March 24, 2020), and motions relating thereto – be temporarily postponed until two weeks after the expiration of the Statewide and City of Los Angeles stay-at-home order. Currently, the City of Los Angeles has issued a stay-at-home order that is set to expire on April 19, 2020—so two weeks from April 19, 2020 is May 3, 2020. The State of California order currently has no expiration date.

We trust that you understand the seriousness of the current pandemic and will readily agree. Please let us know as soon as possible if you agree. If we do not hear from you by 5:00 pm on Tuesday, March 24, 2020, we will seek relief from the Commission.

Johnny Q. Tran
Senior Counsel, Regulatory
Southern California Gas Company | Law Department
555 West Fifth Street, Suite 1400
Los Angeles, California 90013
Tel: (213) 244-2981
Email: JQTran@socalgas.com



 SCE
A SCL Energy Services

EXHIBIT B

Tran, Johnny Q

From: Tran, Johnny Q
Sent: Monday, March 23, 2020 9:32 PM
To: Bone, Traci
Cc: Lee, Shawane L; Campbell, Michael; Ward, Alec; Castello, Stephen; Lyser, Shelly; Prusnek, Brian C
Subject: RE: Meet and Confer Regarding SoCalGas' Emergency Motion for Protective Order

Ms. Bone, my responses below in red.

Johnny

From: Bone, Traci <traci.bone@cpuc.ca.gov>
Sent: Monday, March 23, 2020 6:24 PM
To: Tran, Johnny Q <JQTran@socalgas.com>
Cc: Lee, Shawane L <SLee5@socalgas.com>; Campbell, Michael <Michael.Campbell@cpuc.ca.gov>; Ward, Alec <Alec.Ward@cpuc.ca.gov>; Castello, Stephen <Stephen.Castello@cpuc.ca.gov>; Lyser, Shelly <Shelly.Lyser@cpuc.ca.gov>
Subject: [EXTERNAL] RE: Meet and Confer Regarding SoCalGas' Emergency Motion for Protective Order

*** EXTERNAL EMAIL - Be cautious of attachments, web links, and requests for information ***

Mr. Tran: I am in receipt of your email sent at 6:02 this evening. A few issues to be addressed:

1. I had understood that only Ms. Lee was working on Covid issues. Are you working on them as well? If so, please explain what you are doing in this regard. I am not currently assigned to SoCalGas's COVID-19 response.
2. Can you please explain why you cannot respond to discovery requests remotely? As you are aware, responding to Cal Advocates data request is not a one person job but requires input and coordination from various employees within our company. Due to the COVID-19 emergency, our key employees who would need to be involved in preparing the responses to these data request are busy with SoCalGas's relief efforts or are juggling work responsibilities while providing childcare. For example, Shawane Lee is the lead attorney on Cal Advocates data requests and she is tied up with handling COVID-19 related issues. Our key business unit representative has been pulled into a key role in the Incident Command Structure. As for myself, due to the closure of my two young children's day care, I have to care for my children while my wife is away at work. She is a healthcare professional whose job duties require her to be physically in the hospital.
3. Can you please explain why you cannot participate in a meet and confer conference call remotely? See my response to #2.
4. As I am sure you can appreciate, I am not in a position to grant your request. The Public Advocates Office executives will need to make this determination, and it may take more than the time you have provided to respond. I appreciate that you are not in a position to grant our request and that you have to elevate the request to Cal Advocates executives. Please provide me with a timeframe on when you can obtain that approval. In addition, I would appreciate it if Cal Advocates would temporarily stay all data requests, meet and confers, and motions while you seek your executives' approval. Please let me know if this is acceptable by COB Tuesday.

Traci Bone, Attorney
California Public Utilities Commission
505 Van Ness Avenue

San Francisco, CA 94102

Work: (415) 703-2048

Cell: (415) 713-3599

tbo@cpuc.ca.gov

From: Tran, Johnny Q <JQTran@socalgas.com>

Sent: Monday, March 23, 2020 6:02 PM

To: Bone, Traci <traci.bone@cpuc.ca.gov>

Cc: Lee, Shawane L <SLee5@socalgas.com>

Subject: Meet and Confer Regarding SoCalGas' Emergency Motion for Protective Order

Ms. Bone:

As you know, on Thursday, March 19, 2020, Governor Newsom issued a stay-at-home order. The City of Los Angeles issued a similar order that same day. These orders have impacted SoCalGas's business operations and its personnel. The legal staff and business unit employees who have been key in responding to California Advocates' data requests are now working from home. Many are affected by the closure of schools and daycares. Moreover, some of the key people to responding to Cal Advocates' data requests and other demands have been tasked with work directly related to the emergency. As I am sure you can understand, SoCalGas' business operations are stretched at this time.

As a natural gas utility, SoCalGas is required to operate. However, SoCalGas is focusing its energies on maintaining continuity of operations and focusing on the safety of its customers, employees and the public, while providing essential repairs and maintenance services during the COVID-19 pandemic. In light of the COVID-19 pandemic, SoCalGas cannot at this time continue to devote significant resources to responding to Cal Advocate's data requests.

We recognize that Cal Advocates has an important statutory role. Accordingly, SoCalGas is reluctant to ask for a stay. Unfortunately, the COVID-19 crisis is growing day by day and SoCalGas' main focus is the health and safety of its customers and employees, as well as the community at large. For this reason, we are hopeful that Cal Advocates will agree that activities with respect to the data requests served outside of any proceeding – i.e., any further requests or responses, meet and confers (including our call currently scheduled for March 24, 2020), and motions relating thereto – be temporarily postponed until two weeks after the expiration of the Statewide and City of Los Angeles stay-at-home order. Currently, the City of Los Angeles has issued a stay-at-home order that is set to expire on April 19, 2020—so two weeks from April 19, 2020 is May 3, 2020. The State of California order currently has no expiration date.

We trust that you understand the seriousness of the current pandemic and will readily agree. Please let us know as soon as possible if you agree. If we do not hear from you by 5:00 pm on Tuesday, March 24, 2020, we will seek relief from the Commission.

Johnny Q. Tran

Senior Counsel, Regulatory

Southern California Gas Company | Law Department

555 West Fifth Street, Suite 1400

Los Angeles, California 90013

Tel: (213) 244-2981

Email: JQTran@socalgas.com



A  Sempra Energy company

EXHIBIT C

Tran, Johnny Q

From: Bone, Traci <traci.bone@cpuc.ca.gov>
Sent: Tuesday, March 24, 2020 3:35 PM
To: Tran, Johnny Q
Cc: Lee, Shawane L; Campbell, Michael; Lyser, Shelly; Ward, Alec; Castello, Stephen; Serizawa, Linda; Farrar, Darwin
Subject: [EXTERNAL] RE: Meet and Confer Regarding SoCalGas' Emergency Motion for Protective Order

*** EXTERNAL EMAIL - Be cautious of attachments, web links, and requests for information ***

Johnny:

In response to SoCalGas's demand for stay of the investigation as set forth in your email below, I have conferred with the Public Advocates Office (Cal Advocate's) executive team, as well as the staff working on the investigation into SoCalGas' use of ratepayer monies to lobby against decarbonization.

As all of the people I have conferred with are working remotely, and many staff at the Commission, including my own husband, have been involved in COVID-19 related efforts, we appreciate the challenges that the COVID-19 crisis has placed on both the CPUC and the utilities it regulates. To this end, we are more than willing to work with SoCalGas to ensure it has adequate time to respond to the Cal Advocate's data requests.

As SoCalGas is aware, the investigation started before June 2019 and SoCalGas has routinely withheld information requested in data requests so that the Cal Advocates has had to submit two motions to compel, both of which were granted, and one of which SoCalGas has appealed. In addition, Cal Advocates has, for nearly every data request and meet and confer, granted SoCalGas extension requests. Thus, the amount of discovery that the Public Advocates Offices has sought from SoCalGas, and the amount of time involved, is directly related to the fact that SoCalGas has not responded to that discovery in a timely and comprehensive manner.

It is unacceptable for SoCalGas to unilaterally cancel (after business hours) a scheduled meet and confer for today, particularly in light of the above circumstances. Rather than use the scheduled meet and confer to present your concerns and work toward accommodation, SoCalGas has unilaterally demanded that Cal Advocates cease all efforts on the SoCalGas investigation until some uncertain date in the future.

In lieu of responding substantively to SoCalGas' unilateral demands, Cal Advocates proposes that we reschedule the meet and confer that SoCalGas cancelled last night for a time later this week. At that time, we can discuss how and when SoCalGas will be able to comply with Cal Advocate's two prior discovery orders.

In addition, please be advised, based on our own experience during this crisis, that SoCalGas' claims that all of its attorneys and other employees cannot work on this issue because they are either out of the office or fully employed with Covid-19 work are not credible. There is a significant amount of work that SoCalGas employees can perform remotely in response to Cal Advocate's investigation – and such work should not be unduly burdensome. For example, Ms. Lee has stated that she has a list she could send us of which confidential designations could be lifted. Indeed, she obtained a one week extension for the meet and confer on this issue based on her prior representations that she would be consulting with her clients to identify those portions of the documents which would not require the confidential designations. At this point, review of those documents, lifting the confidential designations, and identifying the legal basis for any remaining confidential designations, can be easily performed remotely, and only requires the review of a single attorney. Similarly, the majority of the questions in data request CalAdvocates-TB-SCG-2020-02 ask SoCalGas to

explain how certain procedures work internally, or to provide documents, such as its GO77 filings. This type of information should be readily available and easily obtained through remote communications.

At the re-scheduled meet and confer, SoCalGas should be prepared to identify work that it can continue to perform in response to Cal Advocate's investigation and Administrative Law Judge DeAngelis' orders to comply with our discovery requests.

Cal Advocates staff are available for a meet and confer on Thursday, March 26 between 12-2 and 2:30-4 and are available on Friday, March 27, between 9-10:30 and 2-4. Please confer with Alec Ward to reschedule today's conference call.

Yours,

Traci Bone, Attorney
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102
Work: (415) 703-2048
Cell: (415) 713-3599
tbo@cpuc.ca.gov

From: Tran, Johnny Q <JQTran@socalgas.com>
Sent: Monday, March 23, 2020 6:02 PM
To: Bone, Traci <traci.bone@cpuc.ca.gov>
Cc: Lee, Shawane L <SLee5@socalgas.com>
Subject: Meet and Confer Regarding SoCalGas' Emergency Motion for Protective Order

Ms. Bone:

As you know, on Thursday, March 19, 2020, Governor Newsom issued a stay-at-home order. The City of Los Angeles issued a similar order that same day. These orders have impacted SoCalGas's business operations and its personnel. The legal staff and business unit employees who have been key in responding to California Advocates' data requests are now working from home. Many are affected by the closure of schools and daycares. Moreover, some of the key people to responding to Cal Advocates' data requests and other demands have been tasked with work directly related to the emergency. As I am sure you can understand, SoCalGas' business operations are stretched at this time.

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We recognize that Cal Advocates has an important statutory role. Accordingly, SoCalGas is reluctant to ask for a stay. Unfortunately, the COVID-19 crisis is growing day by day and SoCalGas' main focus is the health and safety of its customers and employees, as well as the community at large. For this reason, we are hopeful that Cal Advocates will agree that activities with respect to the data requests served outside of any proceeding – i.e., any further requests or responses meet and confers (including our call currently scheduled for March 24, 2020), and motions relating thereto – be temporarily postponed until two weeks after the expiration of the Statewide and City of Los Angeles stay-at-home order. Currently, the City of Los Angeles has issued a stay-at-home order that is set to expire on April 19, 2020—so two weeks from April 19, 2020 is May 3, 2020. The State of California order currently has no expiration date.

We trust that you understand the seriousness of the current pandemic and will readily agree. Please let us know as soon as possible if you agree. If we do not hear from you by 5:00 pm on Tuesday, March 24, 2020, we will seek relief from the Commission.

Johnny Q. Tran
Senior Counsel, Regulatory
Southern California Gas Company | Law Department
555 West Fifth Street, Suite 1400
Los Angeles, California 90013
Tel: (213) 244-2981
Email: JQTran@socalgas.com



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This email originated outside of Sempra Energy. Be cautious of attachments, web links, or requests for information.

**DECLARATION
NO. 3**

**Declaration of
Andy Carrasco**

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

**DECLARATION OF ANDY CARRASCO IN SUPPORT OF SOUTHERN CALIFORNIA
GAS COMPANY'S (U 904 G) EMERGENCY MOTION FOR A PROTECTIVE ORDER
STAYING ALL PENDING AND FUTURE DATA REQUESTS FROM CALIFORNIA
PUBLIC OFFICE ADVOCATES OFFICE SERVED OUTSIDE OF ANY PROCEEDING
(RELATING TO THE BUILDING DECARBONIZATION MATTER), AND ANY
MOTIONS AND MEET AND CONFERS RELATED THERETO, DURING
CALIFORNIA GOVERNMENT COVID-19 EMERGENCY "SAFER AT HOME"
ORDERS**

I, Andy Carrasco, hereby declare as follows:

1. I am the Director of Regional Public Affairs in the Strategy and Engagement, and Environmental group for the Southern California Gas Company (SoCalGas). My responsibilities include oversight of SoCalGas's Regional Public Affairs across the entirety of our service territory with 30 employees. The Regional Public Affairs team engages the communities they serve, and educates stakeholders about SoCalGas's activities, customer programs and services. I have been employed at SoCalGas for over 19 years. Prior to becoming the Director of Regional Public Affairs, I held positions within the supplier diversity and marketing areas of SoCalGas.

2. I have personal knowledge of the facts set forth in this declaration, except as to those matters that are stated on belief or understanding, and as to those matters, I believe them to be true. If called as a witness, I could and would testify competently as to the following:

3. I am the senior management employee tasked with reviewing and responding to data requests from California Public Advocates Office (Cal Advocates) served outside of any proceeding related to the Building Decarbonization matter. My responsibilities related to data requests include reviewing incoming data requests; coordinating with employees in various parts of the company to locate the requested documents or information; and approving the company's response for submission to Cal Advocates.

4. On March 4, 2020, Governor Gavin Newsom declared a state of emergency arising from the COVID-19 (coronavirus) pandemic. On March 13, 2020, the President of the United States declared a national emergency for the same. As a result of the declarations of

emergency, effective March 20, 2020, I have been named the Public Information Officer (PIO) for the Incident Command System that SoCalGas has activated.

5. Some of my PIO duties include but are not limited to: using information from other members of the Incident Command System and general staff to develop accurate, accessible, and complete information on the incident, and other matters of general interest for both internal and external audiences; monitoring public information to ensure accuracy, acting as a liaison with elected and appointed officials; and interfacing with the public, media, other agencies, and stakeholders to provide information and updates based on changes in incident status.

6. Since becoming PIO, my full-time effort and focus is committed to SoCalGas's COVID-19 response.

7. As the SoCalGas PIO, I am committing my entire workday, after hours, and weekends to dealing with matters related to the COVID-19 response.

8. In my role as PIO, I have had to temporarily be relieved of my duties as Director of Regional Public Affairs, to focus on the needs of the company and our community. The majority of our employees at SoCalGas are having to do the same, as we are all focused on the immediate needs of our customers, community, and employees. The COVID-19 response will impact SoCalGas's business units from offering input to respond to Cal Advocates' inspection demands.

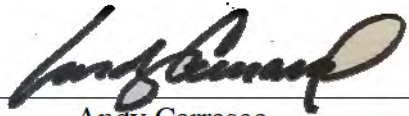
9. In my role as PIO, I am aware that all levels of SoCalGas employees, including senior management, are participating in emergency planning and response functions related to the COVID-19 crisis or are members of SoCalGas's Incident Command System.

10. With my refocused work duties COVID-19 related responsibilities, it is a significant and overwhelming hardship for me to effectively provide business unit support for the multitude of data requests, motions, and meet and confers propounded by Cal Advocates outside of a proceeding.

11. Upon information and belief, securing the time to input, review, and approve discovery and declarations and participate in meet and confers for Cal Advocates' data requests served outside of a proceeding during this emergency is very difficult.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 24 day of March, 2020, at Glendale, California.

By: 
Andy Carrasco
Director of Regional Public Affairs

DECLARATION
NO. 4

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

DECLARATION OF [REDACTED] IN SUPPORT OF SOUTHERN CALIFORNIA GAS COMPANY'S (U 904 G) EMERGENCY MOTION FOR A PROTECTIVE ORDER STAYING ALL PENDING AND FUTURE DATA REQUESTS FROM CALIFORNIA PUBLIC OFFICE ADVOCATES OFFICE SERVED OUTSIDE OF ANY PROCEEDING (RELATING TO THE BUILDING DECARBONIZATION MATTER), AND ANY MOTIONS AND MEET AND CONFERS RELATED THERETO, DURING CALIFORNIA GOVERNMENT COVID-19 EMERGENCY "SAFER AT HOME" ORDERS

I, [REDACTED], hereby declare as follows:

1. I am a Public Policy Advisor in the Strategy and Engagement, and Environmental group for the Southern California Gas Company (SoCalGas). As it relates to the California Public Advocates Office's (Cal Advocates) data requests served outside of a proceeding (relating to the Building Decarbonization matter), my responsibilities include serving as the business unit operations point person. I have been employed at SoCalGas for approximately 6 months.

2. I have personal knowledge of the facts set forth in this declaration, except as to those matters that are stated on belief or understanding, and as to those matters, I believe them to be true. If called as a witness, I could and would testify competently as to the following:

3. From September 2019, up to the present time, my responsibilities as it relates to the Cal Advocates' data requests (outside of a proceeding) include managing and providing oversight to the business unit's responses to data requests.

4. On March 4, 2020, Governor Gavin Newsom declared a state of emergency arising from the COVID-19 (coronavirus) pandemic. On March 13, 2020, the President of the United States declared a national emergency for the same.

5. While I am not assigned to SoCalGas's Incident Command System at this time, a number of my colleagues are, including my direct supervisor. Moreover, given that so many employees have been temporarily relieved of their duties to serve on the crisis team and/or dealing with other COVID-19 impacts, it is incredibly difficult to meet business unit deadlines as it relates to data request responses and scheduling meet and confers.

6. For instance, each data request requires me to conduct multiple employee interviews, spanning across the entire team structure, of the employee whose work product would be considered responsive. After the interviews and drafting responses, I then must cross reference any contracts with supply management. For questions relating to cost estimates, at Cal Advocates' demand, I must work with the employees, accounting, and others to create these estimates to the best of my ability. All of this takes time and requires everyone involved to dedicate full attention to provide accurate responses.

7. Due to the current COVID-19 emergency, it is difficult to schedule business unit employee interviews and receive feedback in a timely manner. This includes being unable to compile proper responses within such short turnaround timeframes. Drafting business unit responses to data requests at this time could lead to unintentionally providing information that has not been fully reviewed and verified.

8. Due to the COVID-19 emergency, many SoCalGas employees are working from home, which makes getting physical signatures on declarations more difficult.

9. As of March 13, 2020, at the direction of my management, I am telecommuting 100 percent from my home.

10. My husband is a Captain in the United States Marine Corps, stationed at Marine Corps Air Station Miramar, where we reside in San Diego, California. Prior to the Safer-at-Home Orders, I have been commuting almost daily to my place of work, which is the Gas Company Tower in Los Angeles.

11. I am considered a high-risk for complications if I contract COVID-19 due to my pre-existing health issues, and I am also still a resident of San Diego County. Given these orders, and for the betterment of my health, I will continue to telecommute as warranted.

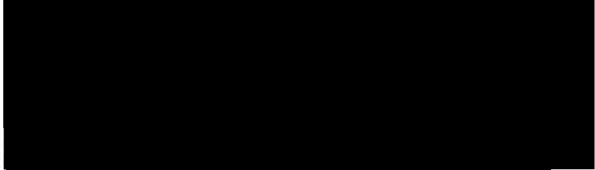
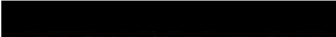
12. Because of the Safer at Home Orders, and unpredictable workload of our servicemembers during this time, I am the sole person responsible for the upkeep of our household; including making sure we have necessities, groceries, and care for our pets.

13. With the COVID-19 implications both professionally and personally, it is a significant and overwhelming hardship for me to effectively provide support for the multitude of data requests, motions, and meet and confers propounded by Cal Advocates related to Building Decarbonization (outside of a proceeding).

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 24 day of March, 2020, at San Diego, California.

By:



Public Policy Advisor, Strategy and Engagement,
and Environmental

DECLARATION
NO. 5

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

DECLARATION OF [REDACTED] IN SUPPORT OF SOUTHERN CALIFORNIA GAS COMPANY'S (U 904 G) EMERGENCY MOTION FOR A PROTECTIVE ORDER STAYING ALL PENDING AND FUTURE DATA REQUESTS FROM CALIFORNIA PUBLIC OFFICE ADVOCATES SERVED OUTSIDE OF ANY PROCEEDING (RELATING TO THE BUILDING DECARBONIZATION MATTER), AND ANY MOTIONS AND MEET AND CONFERS RELATED THERETO, DURING CALIFORNIA GOVERNMENT COVID-19 EMERGENCY "SAFER AT HOME" ORDERS

I, [REDACTED], hereby declare as follows:

1. I am a regulatory case manager for the Southern California Gas Company (SoCalGas). I am the lead regulatory case manager working on the data requests from California Public Advocates Office (Cal Advocates) served outside of a proceeding (related to the Building Decarbonization matter), including questions regarding Californians for Balanced Energy Solutions (C4BES). I started with the company in November 2013 in customer programs and assistance and joined regulatory affairs in June 2017 as a case manager.

2. I have personal knowledge of the facts set forth in this declaration, except as to those matters that are stated on belief or understanding, and as to those matters, I believe them to be true. If called as a witness, I could and would testify competently as to the following:

3. On May 23, 2019, Cal Advocates began serving data requests on SoCalGas regarding C4BES and Sierra Club's allegations in Building Decarbonization Proceeding, Rulemaking (R.) 19-01-011. The data requests were served outside of R. 19-01-011.

4. Cal Advocates' data requests have been voluminous; to date, it has propounded 13 rounds of data requests consisting of more than 100 individual requests and has expanded in scope to questions on SoCalGas' accounting, marketing and lobbying activities.

5. I received the 13th data request, CalAdvocates-TB-SCG-2020-02, on March 20, 2020. (A true and correct copy of this request is attached to this declaration as Exhibit A.) This data request is burdensome and seeks a very broad set of documents and information to be responded to within 15 business days.

6. It is my understanding that SoCalGas has diligently responded to each of Cal Advocates' requests and has met and conferred in good faith with Cal Advocates on disputes arising out of those requests.

7. Due to the recent Coronavirus pandemic, SoCalGas is allowing me to work from home full-time. My husband is also working from home full-time; however, his job requires him to leave home occasionally. We have a 16-month-old daughter who attends daycare Monday through Friday during normal work hours.

8. Unfortunately, due to the current Coronavirus pandemic, the owner of the daycare has decided to close services from at least Friday, March 20 to Monday, April 6, at which time she will re-assess the situation. A 16-month-old requires a lot of attention and therefore my husband and I take turns watching her so the other one can complete job related duties and we can work while she naps. I anticipate that we will lack daycare at least as long as the Safer at Home Orders are effective.

9. Due to the lack of childcare, I cannot work as quickly and as efficiently as I could before the Coronavirus crisis emerged. I have to tend constantly to my 16-month-old during the day and therefore cannot reliably attend conference calls or perform my other normal work functions.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 24th day of March, 2020, at Long Beach, California.



By: 

Regulatory Case Manager

EXHIBIT A



Public Advocates Office
California Public Utilities Commission

305 Van Ness Avenue
San Francisco, CA 94102
Phone: (415) 703-2544
Fax: (415) 703-2057

<http://publicadvocates.cpuc.ca.gov>

PUBLIC ADVOCATES OFFICE DATA REQUEST
No. CalAdvocates-TB-SCG-2020-02

Date: March 20, 2020

Response Requested: Within 15 business days but no later than April 13, 2020

To: [REDACTED] Phone: [REDACTED]
Regulatory Affairs for SoCalGas Email: [REDACTED]

Johnny Q. Tran Phone: (213) 244-2981
Attorney for SoCalGas Email: JQTran@semprautilities.com

Shawane Lee Phone: (213) 244-8499
Attorney for SoCalGas Email: SLee5@socalgas.com

Stacy Van Goor Email: SVanGoor@sempra.com
Sempra Energy

From: **Traci Bone** Phone: (415) 713-3599
Attorney for the Email: Traci.Bone@cpuc.ca.gov
Public Advocates Office

Alec Ward Phone: (415) 703-2325
Analyst for the Email: Alec.Ward@cpuc.ca.gov
Public Advocates Office

INSTRUCTIONS

General:

You are instructed to answer the following Data Requests in the above-captioned proceeding, with written, verified responses pursuant to Public Utilities Code §§ 309.5 and 314, and Rules 1.1 and 10.1 of the California Public Utilities Commission's Rules of Practice and Procedure within ten (10) business days.

Each Data Request is continuing in nature. Provide your response as it becomes available, but no later than the due date noted above. If you are unable to provide a response by the due date, notify the Public Advocates Office within five (5) business days, with a written

explanation as to why the response date cannot be met and a best estimate of when the information can be provided. If you acquire additional information after providing an answer to any request, you must supplement your response following the receipt of such additional information.

This data request does not diminish or excuse any pending written or oral data requests to you.

The Public Advocates Offices expects you to respond to this data request in a timely manner and with the highest level of candor

Responses:

Responses shall restate the text of each question prior to providing the response, identify the person providing the answer to each question and his/her contact information, identify all documents provided in response to the question, and clearly mark such documents with the data request and question number they are responsive to.

Responses should be provided both in the original electronic format, if available, and in hard copy. (If available in Word format, send the Word document and do not send the information as a PDF file.) All electronic documents submitted in response to this data request should be in readable, downloadable, printable, and searchable formats, unless use of such formats is infeasible. Each page should be numbered. If any of your answers refer to or reflect calculations, provide a copy of the supporting electronic files that were used to derive such calculations, such as Excel-compatible spreadsheets or computer programs, with data and formulas intact and functioning. Documents produced in response to the data requests should be Bates-numbered, and indexed if voluminous.

Requests for Clarification:

If a request, definition, or an instruction, is unclear, notify the people listed above in writing within five (5) business days, including a specific description of what you find unclear and why, and a proposal for resolving the issue. In any event, unless directly otherwise by the people listed above, answer the request to the fullest extent possible, explain why you are unable to answer in full, and describe the limitations of your response.

Objections:

If you object to any of portion of this Data Request, please submit specific objections, including the specific legal basis for the objection, to the people listed above within five (5) business days.

Assertions of Privilege:

If you assert any privilege for documents responsive to this data request, please provide within five (5) business days to the people listed above a privilege log identifying each withheld document, and: (a) a summary description of the document; (b) the date of the document; (c) the

name of each author or preparer; (d) the name of each person who received the document; and (e) the legal basis for withholding the document.

Assertions of Confidentiality:

If you assert confidentiality for any of the information provided, please identify the information that is confidential with highlights and provide a specific explanation of the basis for each such assertion. Assertions of confidentiality will be carefully scrutinized and are likely to be challenged absent a strong showing of the need for confidentiality, with the exception of the confidentiality for sensitive personal identifying information as described below.

Sensitive Personal Identifying Information:

Any sensitive personal identifying information other than an employee's name shall be fully redacted unless otherwise directed. Sensitive personal identifying information includes, without limitation:

- Social security numbers.
- Bank account numbers.
- Passport information.
- Healthcare related information.
- Medical insurance information.
- Student information.
- Credit and debit card numbers.
- Drivers license and State ID information.

Signed Declaration:

The data response shall include a signed declaration from a responsible officer or an attorney under penalty of perjury that you have used all reasonable diligence in preparation of the data response, and that to the best of their knowledge, it is true and complete.

In addition, any claim of confidentiality or privilege shall be supported by a declaration from your attorney stating that your attorney is familiar with the relevant case law and statutes pertaining to claims of confidentiality and privilege such that there is a good faith basis for the claim.

DEFINITIONS

- A. As used herein, the terms “you,” “your(s),” “Company,” “SCG,” and “SoCalGas” mean Southern California Gas Company and any and all of its respective present and former employees, agents, consultants, attorneys, officials, and any and all other persons acting on its behalf.

- B. The terms “and” and “or” shall be construed either disjunctively or conjunctively whenever appropriate in order to bring within the scope of these Data Requests any information or documents which might otherwise be considered to be beyond their scope.
- C. Date ranges shall be construed to include the beginning and end dates named. For example, the phrases “from January 1 to January 31,” “January 1-31,” “January 1 to 31,” and “January 1 through January 31” should be understood to include both the 1st of January and the 31st of January. Likewise, phrases such as “since January 1” and “from January 1 to the present” should be understood to include January 1st, and phrases such as “until January 31,” “through January 31,” and “up to January 31” should also be understood to include the 31st.
- D. The singular form of a word shall be interpreted as plural, and the plural form of a word shall be interpreted as singular whenever appropriate in order to bring within the scope of these Data Requests any information or documents which might otherwise be considered to be beyond their scope.
- E. The term “communications” includes all verbal and written communications of every kind, including but not limited to telephone calls, conferences, notes, correspondence, and all memoranda concerning the requested communications. Where communications are not in writing, provide copies of all memoranda and documents made relating to the requested communication and describe in full the substance of the communication to the extent that the substance is not reflected in the memoranda and documents provided.
- F. The term “document” shall include, without limitation, all writings and records of every type in your possession, control, or custody, whether printed or reproduced by any process, including documents sent and received by electronic mail, or written or produced by hand.
- G. “Relate to,” “concern,” and similar terms and phrases shall mean consist of, refer to, reflect, comprise, discuss, underlie, comment upon, form the basis for, analyze, mention, or be connected with, in any way, the subject of these Data Requests.
- H. When requested to “state the basis” for any analysis (including studies and workpapers), proposal, assertion, assumption, description, quantification, or conclusion, please describe every fact, statistic, inference, supposition, estimate, consideration, conclusion, study, and analysis known to you which you believe to support the analysis, proposal, assertion, assumption, description, quantification, or conclusion, or which you contend to be evidence of the truth or accuracy thereof.
- I. Terms related in any way to “lobbying,” lobbyist,” “lobbying firm” and “lobbyist employer” shall, without limitation, be construed broadly and, without limitation, to be inclusive of how those terms are used in the Sempra Energy Political Activities Policy (Policy) and the

California Political Reform Act (Act). For purposes of this data request, the Act's definitions shall understood to include all manner of state, regional, and local government or agencies.¹

DATA REQUEST

1. Please provide all documents related to SoCalGas and Sempra training and reporting programs that are used to ensure compliance with the Sempra Energy Political Activities Policy (Policy). See Policy at Section 1, p. 1 (“the company has a robust training and reporting program in place to ensure compliance”).
2. Regarding the Policy’s requirement at page 3 under “Lobbying” that all employees who engage in lobbying activities are required to report their activity in LATS, please explain what “LATS” is and all of the data fields it contains.
3. Please identify all SoCalGas and Sempra Energy employees who have LATS entries for activity between January 1, 2015 and today, and provide copies of all such LATS entries.
4. Please identify all SoCalGas and Sempra Energy employees who have engaged in lobbying activities at any time between January 1, 2015 and today who do not have LATS entries, and explain why they do not have LATS entries.
5. Please identify all SoCalGas and Sempra Energy employees who have lobbied at any time between January 1, 2015 and today regarding issues related to decarbonization.
6. Please explain how SoCalGas and Sempra decide whether an employee’s work should be allocated to shareholders or ratepayers and who makes such a determination. If this determination varies by business unit, please explain the process for each business unit.
7. Please explain how SoCalGas and Sempra record the cost of employee work that is shareholder-funded, and the accounts where such time is recorded.
8. Please explain how SoCalGas and Sempra record the cost of employee work that is ratepayer-funded, and the accounts where such time is recorded.
9. For all SoCalGas and Sempra Employees who have lobbied at any time between January 1, 2015 and today on behalf of either organization, please identify by each employee and for each year the portion of their time allocated to ratepayer-funded lobbying, and quantify the monetary value of that work for each employee by year.

¹ The Sempra Energy Political Activities Policy defines lobbying broadly on page 3 as: “any action intended to influence legislative or administrative action, including activities to influence government officials, political parties, or ballot measures. Lobbyists can be individual employees or the company that employees them, referred to as a Lobbyist-Employer.”

10. For all SoCalGas and Sempra Employees who have lobbied at any time between January 1, 2015 and today on behalf of either organization, please identify by each employee and for each year the portion of their time allocated to shareholder-funded lobbying, and quantify the monetary value of that work for each employee by year.
11. Please provide a fully executed copy of the entire contractual agreement between SoCalGas and Marathon Communications Inc. including the confidentiality provision which prevents SoCalGas from releasing the prices that Marathon charges for their services without being in breach of contract.² Please also provide supporting documentation to demonstrate that this contract is binding on SoCalGas and has not been superseded by any other contract.
12. For the period between January 1, 2015 and today, please provide all documents submitted to the to the California Public Utilities Commission pursuant to General Order 77 by SoCalGas and Sempra Energy, including both the public and confidential versions of such submissions. To the extent such submissions are available on the company's website, you may provide a link to that information.³

END OF REQUEST

² SoCalGas attorneys asserted during a Meet and Confer discussion on March 19, 2020 that such a term exists in its agreement with Marathon Communications, Inc.

³ We note that a public version of SoCalGas' 2017 GO-77M statement is available on its website, but that no other versions are available.