

EXHIBIT G

May 11, 2020

VIA E-MAIL ONLY

Traci Bone
Public Advocates Office
505 Van Ness Ave.
San Francisco, CA 94102
Email: tbo@cpuc.ca.gov

Re: *Meet and Confer Regarding Data Requests*

Dear Traci:

I am writing to confirm our discussion in the meet and confer held on Friday May 8, 2020. We appreciate your continued cooperation in ensuring Cal Advocates is able to access the information it is seeking from SAP.

DR 14 / Subpoena

Based on your email of Friday, May 8, 2020 at 9:45 AM, SoCalGas has focused on providing “Copy Access” (as described in my correspondence to you on May 7, 2020) to you via flash drive of relevant databases. We are confirming the feasibility of providing that information via electronic transfer, which may be difficult as it is likely to be a large volume of data. We hope to provide you an update on when the specific areas you requested will be available by Monday, May 11, 2020.

At your request, we made available Ed Reyes to answer questions related to the accounting system. He was also able to confirm that the combination of cost centers and invoice/orders in your email are in the system and active. He further confirmed that Cost Center 2200-0942 and IO FG8706502200 are described as “Customer Service” within the SAP system, not as “Related to Reach Codes”. Although Mr. Wuehler was again unable to join the call, Mr. Henry confirmed a team of support is being assembled for his needs and that he would provide a primary SAP “superuser” contact no later than Monday to answer additional questions Mr. Wuehler may have about the organization of SAP.

We are further in receipt of your email indicating your desire for fully remote “Read-Only Access”. While SoCalGas provided this in one instance before, it does require significant security work by IT to prepare again as it is read-only access to a live database. We hope to provide an estimate of how long this process would take by early next week. Additionally, SoCalGas is still determining how to provide this access without waiving issues it has on appeal related to First Amendment protections conferred on its fully shareholder-funded contracts.

Although not discussed on the call, we have discovered there is a potential additional complication with respect to privileged material as well, as SAP may have work descriptions or bills themselves from outside counsel accessible to a user.

The deadline of Wednesday, May 13, 2020 for your subpoena is still in force for the eleven specific accounts listed in the paragraph that starts “First” of your 9:45 AM email. We said that we will let you know on Monday if we need more time than Wednesday to obtain these eleven accounts. With respect to the paragraphs that start “Second,” “Third” and “Fourth,” you have agreed that the subpoena date (May 13th) for response will not be enforced while we continue to work cooperatively and provide updates regarding our progress on preparing the various forms of access for Mr. Wuehler’s review. We agreed to continue to provide updates on Monday and Wednesday as we received more information from our IT professionals.

LATS

We agreed to provide an amended answer to DR 13, Question 2 regarding dependent fields in LATS by Wednesday, May 13. We further noted that we believed it would be possible to provide only LATS entries for Ken Chawkins before that date as well. We noted that we would be providing PDFs with confidentiality highlighting instead of redactions from Sempra later on Friday and have done so.

We discussed the difficulties of highlighting for confidentiality in a native format, as it will have to be done outside of our review platform and will alter the metadata of the natives. However, we agreed to convey your concerns to Sempra, as well as investigate whether we could provide highlighting on the native documents. You reiterated your position that you did not believe there was a legal basis for redacting the names of employees below director level and their employment information such as their office phone numbers or email addresses.

Confidentiality

We explained to you we understood that based on conversations between SoCalGas and Mike Campbell, an agreement was reached in September 2019 where Cal Advocates agreed that SoCalGas could mark such information as confidential. We further stated we believed this agreement was memorialized in our response to Data Request 6 and that such an agreement had not been repudiated. (“Pursuant to a September 5, 2019 meeting between SoCalGas (Brian Prusnek, Director – Regulatory Affairs), and Cal Advocates (Mike Campbell, Program Manager), Mr. Campbell indicated the Public Advocates Office is not interested in the names of employees”). You stated your belief that was only related to the marking via highlighting (as opposed to redaction) and not the underlying confidentiality of such information. You further stated that you did not want to resolve this dispute via ADR and made clear your intention to file a motion to compel related to that information and your intention to request that any future designations be supported by an attorney declaration of a good faith basis of those designations.

In turning to the underlying legal standard, we requested Cal Advocates provide the authority on which it was relying for why such information was not protected. You replied that the authority

Traci Bone
May 11, 2020
Page 3

existed because there were no statutes protecting such information, and that you would not prove a negative by identifying law holding such information to be public. SoCalGas reiterated its belief discussed on previous meet and confers that there were two relevant protections: under General Order 66-D, a party can claim confidentiality under either an applicable provision of the CPRA or a citation to the Government Code Section 6255(a) (the public interest balancing test). In discussing the latter, SoCalGas stated its belief that publicizing names and work email addresses in these contexts ultimately reveals sensitive employment information about its lower-level employees. Further, it subjects them to unnecessary harassment via their work email and office telephone addresses.

We confirmed our meet and confer call for Wednesday, May 13, 2020 at 11:30 AM. Please feel free to contact me if you have any questions.

Very truly yours,



Jason H. Wilson



EXHIBIT H

From: Bone, Traci <traci.bone@cpuc.ca.gov>
Sent: Friday, May 8, 2020 1:31 PM
To: Henry, Elliott S
Cc: Ward, Alec; Castello, Stephen; Tran, Johnny Q; Jason Wilson; Sierzant, Corinne M; Holland, Brooke; Campbell, Michael; Sherin Varghese
Subject: RE: SAP questions - Follow Up Regarding Read-Only Remote Access

Elliott:

Re-reading my email below, I can understand how SoCalGas got the impression that Cal Advocates was no longer seeking remote access. My apologies for any misunderstanding.

As both Stephen Castello and I clarified on the call today, we anticipate that the procedure described below is only interim, and that Cal Advocates will be provided read-only remote access to SAP as soon as practicable.

We have confirmed that read-only access is a standard feature of SAP and you have represented to us that SoCalGas provided it to the SEC previously (also referred to as "token access"), so we expect that it should not be difficult to implement.

To the extent remote access can be made available next week, we propose that it would be unnecessary to move forward with the first delivery request set forth below.

However, if there is some reason that such remote access cannot be made available next week, we ask that you let us know no later than Tuesday, May 12, and sooner if possible, when remote read-only access can be made available, why it requires more time, and what technical requirements are involved, if any.

We look forward to your timely attention to this matter,

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: Bone, Traci
Sent: Friday, May 08, 2020 9:45 AM
To: Henry, Elliott S <EHenry@socalgas.com>
Cc: Ward, Alec <Alec.Ward@cpuc.ca.gov>; Castello, Stephen <Stephen.Castello@cpuc.ca.gov>; Tran, Johnny Q <JQTran@socalgas.com>; Jason H. Wilson (jwilson@willenken.com) <jwilson@willenken.com>; Sierzant, Corinne M <CSierzant@socalgas.com>; Holland, Brooke <AHolland@socalgas.com>; Campbell, Michael <Michael.Campbell@cpuc.ca.gov>; Sherin Varghese <svarghese@willenken.com>
Subject: RE: SAP questions

Elliott:

Thank you for arranging for someone familiar with the SAP system to be on the call today. We had a chance to speak with our auditor, James Wuehler (Jim), and he confirmed that Cal Advocates can work with SoCalGas to identify specific databases we want to access, rather than requiring SoCalGas to create a fixed database of the entire SAP system.

First, we propose that SoCalGas make fixed database copies of the following accounts, ideally in the order set forth below:

ACCOUNT	DESCRIPTION
IO 300796601	Related to Balanced Energy
Cost Center 2200-2204	
Cost Center 2200-0811	Public Affairs Manager, LA
CTR F426400G	Exp-Civic & Related
IO FG9200002200	Administrative and General Salaries
CTR F920000G	A&G Salaries
IO FG9215632200	Public Affairs Administration - NonLabor
IO FG90800002200	
Cost Center 2200-2504	Public Policy and Planning
Cost Center 2200-0942	Related to Reach Codes
IO FG8706502200	Related to Reach Code

We are basing this request on account numbers provided in response to SoCalGas data responses. In some instances, we do not have a full description of the account, and there may be typographical errors in those data responses or in our transcription of them. We have tried to associate an account number with a description where one was available to minimize the impact of incomplete or inaccurate information.

Ideally, before our call today, your SAP person could quickly run through these accounts and confirm that we have a working account number. If this is not possible, and if SoCalGas has any problem identifying any of the listed accounts, we ask that you please contact us as soon as practicable so that we can determine what the correct account is. Among other things, we can attempt to direct you to the relevant data response where the account was identified.

Our hope is that you can start providing the fixed databases of these accounts early next week on a rolling basis so that we can start our review immediately.

As we review these databases, Jim is likely to send additional queries to his contact at SoCalGas for additional accounts.

Second, we ask that SoCalGas produce fixed databases for all accounts that are 100% shareholder funded.

Third, we ask that SoCalGas produce fixed databased for all accounts housing costs for activities related to influencing public opinion on decarbonization policies.

Fourth, we ask that SoCalGas identify all accounts housing costs for lobbying activities related to decarbonization policies. For this request, please be sure to identify those accounts housing costs related to CPUC Proceedings R.13-11-005 and R.19-01-011 and explain whether the costs in those accounts are limited to those proceedings, or contain costs for other lobbying activities related to decarbonization policies.

Of course, we reserve the right to request access to additional databases as we continue our audit.

Please let us know as soon as practicable if this start-up proposal is acceptable to SoCalGas and when we can expect to see our first delivery.

We thank you, in advance, for your assistance in this matter,

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: Henry, Elliott S <EHenry@socalgas.com>
Sent: Thursday, May 07, 2020 1:23 PM
To: Bone, Traci <traci.bone@cpuc.ca.gov>
Cc: Ward, Alec <Alec.Ward@cpuc.ca.gov>; Castello, Stephen <Stephen.Castello@cpuc.ca.gov>; Tran, Johnny Q <JQTran@socalgas.com>; Jason H. Wilson (jwilson@willenken.com) <jwilson@willenken.com>; Sierzant, Corinne M <CSierzant@socalgas.com>; Holland, Brooke <AHolland@socalgas.com>; Campbell, Michael <Michael.Campbell@cpuc.ca.gov>; Sherin Varghese <svarghese@willenken.com>
Subject: SAP questions

Hello Traci,

We should have someone on tomorrow who is familiar with the SAP system. They probably will not be able to be on the entire time (which I would guess you wouldn't need anyway), but I'll try to let you know their constraints before the meeting. Since different people are more familiar with different aspects of SAP, it would be helpful and most efficient to know what clarifications you are looking to find out ahead of time.

Thank you,
Elliott

Elliott S. Henry
Senior Counsel, Regulatory
Southern California Gas Company | Law Department
555 West 5th Street GT14E7 | Los Angeles, CA 90013
Tel: 213-244-8234 | Fax: 213-629-9620
E-Mail: EHenry@socalgas.com



This e-mail may contain privileged, attorney-client communications and confidential information intended only for the use of the recipient(s) named above. Reading, disclosure, discussion, dissemination, distribution, or copying of this information by anyone other than the intended recipient or their employees or agents is strictly prohibited. If you have received this message in error, please immediately notify me by telephone and return the original message at the above address via the U.S. postal service. Thank you.

EXHIBIT I

From: Henry, Elliott S <EHenry@socalgas.com>
Sent: Tuesday, May 12, 2020 7:10 AM
To: Bone, Traci
Cc: Ward, Alec; Castello, Stephen; Tran, Johnny Q; Jason Wilson; Sierzant, Corinne M; Holland, Brooke; Campbell, Michael; Sherin Varghese
Subject: RE: SAP questions - Follow Up Regarding Read-Only Remote Access

Traci,

We are moving forward with getting the SAP access while we also prepare the static data. I am still waiting to hear how long it will take to get the SAP access, but I can't imagine we will be able to provide it this week for at least a couple reasons. Most significantly, having access to SAP allows access to invoices and other details without giving us the ability to review them before you are able to see them. This could potentially disclose information that is similar to that which is the subject of the appeal, such as 100% shareholder funded contracts. Moreover, the access could also disclose privileged information. Full access to SAP would allow access to detailed bills received from outside counsel, which would be privileged. We are trying to determine if access can be granted while walling off certain categories of information or if there is some other workaround, but until we determine that I am not sure what the exact timeline will be. We are looking into walling off all attachments which could be separately requested, but it is possible that information separate from the attachments that would fall into the two sensitive categories above would be visible. We have IT folks looking into these issues and workarounds. To clarify a possible misunderstanding from your below email, the prior audit was *not* conducted by the SEC. It was done by an outside company that we contracted with in relation to certain SEC matters. Therefore, these issues were not present because an auditor that we contracted with stood in a fundamentally different position from Cal Advocates' position here.

The name of the point of contact for you on SAP questions will be Ping Ng (PNg@socalgas.com). There may be another contact to assist Ping – we'll provide that name if/when we get it.

We will be able to provide the files for the discrete data through an email as we have done for larger productions in this matter. We will use that method to send the data, as you requested.

For the discrete sets of data we are trying to push out more quickly, my initial understanding was the information substantially overlapped with what was made available in the GRC before. That would have meant less internal review and QC would have been required. However that's not necessarily the case, so we need to confirm what was previously made available and for those pieces that weren't we need to at least briefly review them before producing them (to check for the above privilege / legal issues and other potential issues). I am optimistic that we will be able to produce some of the categories to you by Wednesday and will update you when I have new information – hopefully later today if not at the meet and confer Wednesday. I believe you mentioned 5 years of data for all the SAP info (2015-2019), but if I am recalling incorrectly let us know. I will note that 2019 is taking longer to collect because it is being extracted via VPN since employees are working remotely, so the transfer speeds are slower than they would otherwise be. I will note that there may be overlap with data for different categories when you get these sets of data, but the handler can help with that (and when you get the SAP data you will be able to clarify as well).

We need to have a written agreement on confidentiality. As we discussed previously, an agreement that all materials would be branded confidential if copied/printed/etc. and that nothing would be disclosed prior to notifying us and allowing us to mark for confidentiality should be in place before we produce. I'm not certain how that is impacted by General Order 66-D and if Cal Advocates can essentially contract around that – let me know if you've dealt with such a situation before as I have not had any luck finding an answer on my end.

On other issues, we will convert the PDF to a searchable document. I'm confused by your request for multiple highlights. You have our new designations and we don't have a document like the one you are requesting.

Best,
Elliott

From: Bone, Traci <traci.bone@cpuc.ca.gov>
Sent: Friday, May 8, 2020 1:31 PM
To: Henry, Elliott S <EHenry@socalgas.com>
Cc: Ward, Alec <Alec.Ward@cpuc.ca.gov>; Castello, Stephen <Stephen.Castello@cpuc.ca.gov>; Tran, Johnny Q <JQTran@socalgas.com>; Jason H. Wilson (jwilson@willenken.com) <jwilson@willenken.com>; Sierzant, Corinne M <CSierzant@socalgas.com>; Holland, Brooke <AHolland@socalgas.com>; Campbell, Michael <Michael.Campbell@cpuc.ca.gov>; Sherin Varghese <svarghese@willenken.com>
Subject: [EXTERNAL] RE: SAP questions - Follow Up Regarding Read-Only Remote Access

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

Elliott:

Re-reading my email below, I can understand how SoCalGas got the impression that Cal Advocates was no longer seeking remote access. My apologies for any misunderstanding.

As both Stephen Castello and I clarified on the call today, we anticipate that the procedure described below is only interim, and that Cal Advocates will be provided read-only remote access to SAP as soon as practicable.

We have confirmed that read-only access is a standard feature of SAP and you have represented to us that SoCalGas provided it to the SEC previously (also referred to as "token access"), so we expect that it should not be difficult to implement.

To the extent remote access can be made available next week, we propose that it would be unnecessary to move forward with the first delivery request set forth below.

However, if there is some reason that such remote access cannot be made available next week, we ask that you let us know no later than Tuesday, May 12, and sooner if possible, when remote read-only access can be made available, why it requires more time, and what technical requirements are involved, if any.

We look forward to your timely attention to this matter,

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: Bone, Traci
Sent: Friday, May 08, 2020 9:45 AM
To: Henry, Elliott S <EHenry@socalgas.com>

Cc: Ward, Alec <Alec.Ward@cpuc.ca.gov>; Castello, Stephen <Stephen.Castello@cpuc.ca.gov>; Tran, Johnny Q <JQTran@socalgas.com>; Jason H. Wilson (jwilson@willenken.com) <jwilson@willenken.com>; Sierzant, Corinne M <CSierzant@socalgas.com>; Holland, Brooke <AHolland@socalgas.com>; Campbell, Michael <Michael.Campbell@cpuc.ca.gov>; Sherin Varghese <svarghese@willenken.com>

Subject: RE: SAP questions

Elliott:

Thank you for arranging for someone familiar with the SAP system to be on the call today. We had a chance to speak with our auditor, James Wuehler (Jim), and he confirmed that Cal Advocates can work with SoCalGas to identify specific databases we want to access, rather than requiring SoCalGas to create a fixed database of the entire SAP system.

First, we propose that SoCalGas make fixed database copies of the following accounts, ideally in the order set forth below:

ACCOUNT	DESCRIPTION
IO 300796601	Related to Balanced Energy
Cost Center 2200-2204	
Cost Center 2200-0811	Public Affairs Manager, LA
CTR F426400G	Exp-Civic & Related
IO FG9200002200	Administrative and General Salaries
CTR F920000G	A&G Salaries
IO FG9215632200	Public Affairs Administration - NonLabor
IO FG90800002200	
Cost Center 2200-2504	Public Policy and Planning
Cost Center 2200-0942	Related to Reach Codes
IO FG8706502200	Related to Reach Code

We are basing this request on account numbers provided in response to SoCalGas data responses. In some instances, we do not have a full description of the account, and there may be typographical errors in those data responses or in our transcription of them. We have tried to associate an account number with a description where one was available to minimize the impact of incomplete or inaccurate information.

Ideally, before our call today, your SAP person could quickly run through these accounts and confirm that we have a working account number. If this is not possible, and if SoCalGas has any problem identifying any of the listed accounts, we ask that you please contact us as soon as practicable so that we can determine what the correct account is. Among other things, we can attempt to direct you to the relevant data response where the account was identified.

Our hope is that you can start providing the fixed databases of these accounts early next week on a rolling basis so that we can start our review immediately.

As we review these databases, Jim is likely to send additional queries to his contact at SoCalGas for additional accounts.

Second, we ask that SoCalGas produce fixed databases for all accounts that are 100% shareholder funded.

Third, we ask that SoCalGas produce fixed databased for all accounts housing costs for activities related to influencing public opinion on decarbonization policies.

Fourth, we ask that SoCalGas identify all accounts housing costs for lobbying activities related to decarbonization policies. For this request, please be sure to identify those accounts housing costs related to CPUC Proceedings R.13-11-

005 and R.19-01-011 and explain whether the costs in those accounts are limited to those proceedings, or contain costs for other lobbying activities related to decarbonization policies.

Of course, we reserve the right to request access to additional databases as we continue our audit.

Please let us know as soon as practicable if this start-up proposal is acceptable to SoCalGas and when we can expect to see our first delivery.

We thank you, in advance, for your assistance in this matter,

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: Henry, Elliott S <EHenry@socalgas.com>
Sent: Thursday, May 07, 2020 1:23 PM
To: Bone, Traci <traci.bone@cpuc.ca.gov>
Cc: Ward, Alec <Alec.Ward@cpuc.ca.gov>; Castello, Stephen <Stephen.Castello@cpuc.ca.gov>; Tran, Johnny Q <JQTran@socalgas.com>; Jason H. Wilson (jwilson@willenken.com) <jwilson@willenken.com>; Sierzant, Corinne M <CSierzant@socalgas.com>; Holland, Brooke <AHolland@socalgas.com>; Campbell, Michael <Michael.Campbell@cpuc.ca.gov>; Sherin Varghese <svarghese@willenken.com>
Subject: SAP questions

Hello Traci,

We should have someone on tomorrow who is familiar with the SAP system. They probably will not be able to be on the entire time (which I would guess you wouldn't need anyway), but I'll try to let you know their constraints before the meeting. Since different people are more familiar with different aspects of SAP, it would be helpful and most efficient to know what clarifications you are looking to find out ahead of time.

Thank you,
Elliott

Elliott S. Henry
Senior Counsel, Regulatory
Southern California Gas Company | Law Department
555 West 5th Street GT14E7 | Los Angeles, CA 90013
Tel: 213-244-8234 | Fax: 213-629-9620
E-Mail: EHenry@socalgas.com



This e-mail may contain privileged, attorney-client communications and confidential information intended only for the use of the recipient(s) named above. Reading, disclosure, discussion, dissemination, distribution, or copying of this information by anyone other than the intended recipient or their employees or agents is strictly prohibited. If you have received this message in error, please immediately notify me by telephone and return the original message at the above address via the U.S. postal service. Thank you.

EXHIBIT J

May 18, 2020

VIA E-MAIL ONLY

Traci Bone
Public Advocates Office
505 Van Ness Ave.
San Francisco, CA 94102
Email: tbo@cpuc.ca.gov

Re: *Meet and Confer re Cal Advocates' Data Request and Subpoena for SAP Access*

Dear Traci:

I am writing to confirm our meet and confer of Wednesday, May 13, 2020 and to update you on our efforts to provide you with remote access. We once again want to affirm, as we did on our call that we are taking our obligations under the subpoena extremely seriously. We are working diligently to obtain both Copy, or Fixed, Access to the SAP database as well as Remote Access.

We provided updates on our progress in providing the Copy Access, in that we would be rolling out to you fixed copies of the accounts as we had done previously during the GRC process. We further explained that this process had been slowed significantly due to remote work forcing onsite processes to take place over VPN. As noted in an email from SoCalGas late Friday, that information should be available Monday.

We further explained that we had undertaken the process of providing remote access to the live SAP database. As we've explained previously, our team has no previous experience providing remote access to the live database to Cal Advocates, or to any party where doing so would waive privilege. As we began to prepare live access, we encountered two obstacles that we are diligently working to resolve: the ability to access privileged information in the form of bills from outside counsel and access to materials currently subject to an appeal in front of the Commission related to its political associations for 100% shareholder-funded contracts.

On Wednesday's call, SoCalGas proposed a solution in consultation with its SAP and IT teams whereby access to attachments and invoices would be shut off but could be requested by Cal Advocates' auditor. SoCalGas indicated this might not be the entire solution, but a substantial piece of it. An attorney would then able to quickly review requested invoices and provide nonprivileged and non-appeal-related materials to the auditor. You stated this was not a workable solution and that the auditor needed instantaneous access to all attachments and invoices. We therefore stopped pursuing such a solution.

May 18, 2020

Page 2

The solution that SoCalGas proposed Wednesday was based upon the existing functions in the SAP software. After our call Wednesday, we learned that we might be able to create custom software written that gives Cal Advocates remote access while at the same time restricting access to material protected by attorney-client privilege and the 1st Amendment.

Realizing that providing Cal Advocates' remote access is critical, we worked on this issue over the weekend. After speaking with IT specialists, we believe that we can provide Cal Advocates with remote access by May 29, 2020. A special program will be written which will prevent access to attorney-client information and 1st Amendment protected information. SoCalGas has assigned two people from their IT team to work on this custom software until it is completed. The custom software will prevent Cal Advocates from having access on the SAP system to information from the approximately 40 law firms and the 10 consulting shops¹ that have 100% shareholder contracts. We understand that SoCalGas deals with over 2000 vendors a year. Hence, this software fix will be a narrowly targeted one which will affect a tiny fraction of SoCalGas's vendors.

We will maintain close contact with the software development team and let you know if anything happens that negatively affects our target date on May 29, 2020.

In the meantime, we will continue to make available in a fixed format other information from the SAP system.

Over the weekend, we learned the for the first time that it might be possible to access the social security numbers and bank account information of our employees. We are exploring this issue to see if it will have any impact on our target date of May 29, 2020.

As part of our efforts to work cooperatively with Cal Advocates, we will provide an IT expert with knowledge of the SAP System on Monday's meet and confer.

We will also provide an NDA on Monday related to the confidential materials located in SAP. Because this situation is unique, the NDA is not a typical one used by SoCalGas, and we are happy to answer questions and consider revisions you may have for it.

Very truly yours,



Jason H. Wilson

¹ These are initial numbers and may vary. We are providing them to give a sense of the limited amount of protected information within the vendor population.

EXHIBIT K



A  Sempra Energy utility

Johnny Q. Tran
Senior Counsel

Office of the General Counsel
555 West Fifth Street, Suite 1400
Los Angeles, California 90013

Tel: (213) 244-2981
Fax: (213) 629-9620
Email: jqtran@socalgas.com

October 17, 2019

President Marybel Batjer
Office of the President of the California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

Re: *Response of SoCalGas Pursuant to October 7, 2019 Motion to Compel Further Responses from Southern California Gas Company to Data Request – CalAdvocates – SC – SCG-2019-05 (Not in a Proceeding)*

Dear President Batjer:

Pursuant to Rule 11.3 of the Rules of Practice and Procedure (“Rules”) of the California Public Utilities Commission (“Commission”), Southern California Gas Company (“SoCalGas”) hereby timely responds to the Public Advocates Office’s (“Cal Advocates”) Motion to Compel Further Responses from Southern California Gas Company to Data Request – CalAdvocates-SC-SCG-2019-05 (“Motion”).

Cal Advocates’ Motion seeks an order from the President of the Commission to compel SoCalGas to produce all contracts (and contract amendments) associated with a Work Order Authorization (“WOA”) that created the 100 percent shareholder funded Balancing Energy Internal Order (“IO”). Cal Advocates’ data request was served outside of any active proceeding pursuant to Public Utilities Code (“Pub. Util. Code”) §§ 309.5(e) and 314. Cal Advocates asserts that it has broad discovery authority under Pub. Util. Code §§ 309.5(e) and 314 and that broad discovery authority requires SoCalGas to produce contracts that are entirely funded by its shareholders. Contrary to Cal Advocates’ assertions, Cal Advocates does not have unfettered access to SoCalGas’ shareholder documents. The plain language of Pub. Util. Code §§ 309.5(e) and 314 makes clear that there are limitations on Cal Advocates’ discovery authority. Here, Cal Advocates has exceeded that authority.

First, Cal Advocates has not been delegated authority by the Commission under Pub. Util. Code § 314 in order to invoke the statutory rights under said code section.

Second, while Cal Advocates’ discovery authority is broad under Pub. Util. Code § 309.5(e) – it is not unfettered. Cal Advocates’ discovery authority is limited to information “necessary to perform its duties.”¹ Here, Cal Advocates has failed to clearly articulate how

¹ Pub. Util. Code § 309.5(e).

Letter to President Batjer

October 17, 2019

Page 2

SoCalGas' 100 percent shareholder contracts are necessary for Cal Advocates to perform its statutory duties.

Third, to permit Cal Advocates to inspect shareholder information and documents whenever it so pleases without requiring a showing that the information and document is necessary for Cal Advocates to perform its statutory duties as required by Pub. Util. Code § 309.5(e) could have negative consequences on a utility's constitutionally-protected rights including its First Amendment right to free speech.²

Finally, Cal Advocates failure to meet and confer in good faith pursuant to Commission's Rule of Practice and Procedure, Rule 11.3(a) and shifting theories for needing SoCalGas' 100 percent shareholder contracts deprives SoCalGas of adequate due process.

I. BACKGROUND

Cal Advocates asserts that it "is currently investigating SoCalGas' funding of political lobbying activities, including, among other things, whether and to what extent ratepayer money was used to found and support Californians for Balance Energy Solutions (C4BES)."³ This investigation was initiated based on activity in the Building Decarbonization Rulemaking (R.19-01-011). Cal Advocates alleges that in furtherance of its investigation, Cal Advocates served a series of data requests outside of any active proceeding. The information related to the prior series of data requests are detailed in Cal Advocates' prior motion to compel, SoCalGas' response, and Cal Advocates' reply.⁴

The data request that is the subject of this Motion demands that SoCalGas "[p]rovide all contracts (and contract amendments) covered by the [Work Order Authorization] which created the BALANCED ENERGY IO." An IO is a tool that can be used to track costs associated with particular departments, projects, initiatives, etc. It provides capabilities for planning, monitoring,

² It may also violate SoCalGas' Fourth Amendment rights as the demand for 100 percent shareholder contracts exceeds Cal Advocates' statutory authority. Courts have held that "commercial privacy interests" are protected under the Fourth Amendment, and that a government agency infringes such rights if its investigation exceeds the agency authority. *See v. City of Seattle*, 387 U.S. 541, 544 (1967) (recognizing Fourth Amendment protections for commercial privacy rights); *Brovelli v. Superior Ct. of L.A. Cnty.*, 56 Cal. 2d 524, 529 (1961) (examining whether demand for inspection is "one which the agency demanding production is authorized to make.")

³ Public Advocates Office's Motion to Compel Further Responses from Southern California Gas Company to Data Request – CalAdvocates-SC-SCG-2019-05 (October 7, 2019) ("Motion") at 2.

⁴ *See Attachment A, Cal Advocates Motion to Compel Further Responses from Southern California Gas Company to Data Request - CalAdvocates-SC-SCG-2019-04* (August 14, 2019); *Attachment B, Response of SoCalGas to August 14, 2019 Motion to Compel Further Responses from Southern California Gas Company to Data Request-CalAdvocates-SC-SCG-2019-04* (August 26, 2019); *Attachment C, Reply of the Public Advocates Office to Response of SoCalGas to August 14, 2019 Motion to Compel Further Responses from Southern California Gas Company to Data Request – Cal Advocates-SC-SCG-2019-04 in the Discovery Dispute Between Public Advocates Office and Southern California Gas Company, August 2019 (Not in a Proceeding)* (September 9, 2019).

Letter to President Batjer

October 17, 2019

Page 3

and allocation of costs. While all IOs are different, the Balanced Energy IO is a broad IO that provides the mechanism for shareholder funding of work related to promoting and supporting a balanced energy approach to achieving California's environmental goals.

On August 27, 2019, SoCalGas objected to the requests as follows:

SoCalGas objects to this request as seeking information that is outside the statutory authority delegated to the Public Advocates Office by Pub. Util. Code § 309.5. The Balanced Energy IO is shareholder funded, not ratepayer funded. Thus, knowing this information will not assist the Public Advocates Office in performing its statutory duties.

On September 16, 2019, SoCalGas and Cal Advocates met and conferred regarding Question 8. Based on the meet and confer, it was SoCalGas' understanding that the reason Cal Advocates were seeking the contracts was to verify whether the contracts are ratepayer or shareholder funded. SoCalGas explained that the contracts will not have that information and in order to verify the funding source, Cal Advocates will need to understand SoCalGas' accounting process. The parties had a subsequent meet and confer on September 27, 2019 whereby SoCalGas' accounting personnel provided Cal Advocates an overview of SoCalGas' accounting processes and procedures to explain how ratepayer and shareholder costs are tracked and funded. Despite SoCalGas personnel answering Cal Advocates' questions, Cal Advocates continued to demand the production of the contracts.

On October 2, 2019, SoCalGas and Cal Advocates had another meet and confer. SoCalGas explained that the September 27 meet and confer should have adequately explained SoCalGas' accounting processes and procedures in order to clarify how the costs tracked in the Balanced Energy IO are shareholder funded. SoCalGas again explained that seeing the actual contracts will not provide Cal Advocates with information as to how the contracts and associated invoices are funded. SoCalGas requested that Cal Advocates explain how seeing the contracts is necessary to fulfill its statutory duties. Cal Advocates asserted that it is entitled to the documents given its broad authority and did not need to provide SoCalGas with a rationale as to why it needed the documents. After SoCalGas asserted that Cal Advocates are not meeting and conferring in good faith and Cal Advocates' continued refusal to provide the rationale would violate SoCalGas' due process rights, Cal Advocates stated that in addition to determining whether the contracts are shareholder or ratepayer funded, it wanted to review the contracts' scope of work to determine whether SoCalGas' shareholders are taking positions that are inconsistent with State policy.

On October 4, 2019, SoCalGas' regulatory case manager left a voicemail message for Cal Advocates to request further discussions to see if there was a way the parties could bridge the gap pertaining to the request for contracts. Without any further meet and confer, Cal Advocates filed its Motion on October 7, 2019. In its Motion, Cal Advocates states for the first time that it is entitled to these contracts to determine how shareholder funded contracts may have affected ratepayers' interests to achieving a least-cost path to meeting the State's decarbonization goals.

It is important to note that contracts are not specific to a WOA and when materials or services are provided under a contract, invoices would then be paid using appropriate accounting information (e.g. cost centers, internal orders, etc.). A single contract may be utilized by multiple organizations, programs, or initiatives. Accordingly, on October 16, 2019, SoCalGas produced contracts that have services or materials utilized by both the Balanced Energy IO and ratepayer funded accounts.⁵ Since ratepayers have utilized the services or materials under these contracts, these contracts are likely within the purview of Cal Advocates. Even though some of the contracts produced are not within Cal Advocates' stated purpose of their investigation (SoCalGas' funding of political lobbying activities), in the interest of transparency, SoCalGas produced them to Cal Advocates. However, SoCalGas maintains its objections as it relates to contracts that are 100 percent shareholder funded. As such, the only contracts in dispute are the contracts that are 100 percent shareholder funded.

II. DISCUSSION

A. Cal Advocates Has Not Been Delegated the Appropriate Authority Under Pub. Util. Code § 314

Cal Advocates asserts it is entitled to the shareholder information under Pub. Util. Code § 314. Cal Advocates argues that Pub. Util. Code §314 is broad in scope and that Cal Advocates has the same scope of authority as any other member of the Commission staff. SoCalGas agrees that Pub. Util. Code § 314 is broad in scope. SoCalGas also agrees that under certain circumstances Cal Advocates may have the same scope of authority as other members of Commission staff. However, Cal Advocates does not have the same scope of authority as a Commissioner or an officer of the Commission.

According to the clear language of the statute: "Any person, other than a commissioner or an officer of the commission, demanding to make any inspection shall produce, under the hand of seal of the commission, authorization to make the inspection." It is undisputed that Cal Advocates is not a Commissioner. To SoCalGas' knowledge Cal Advocates is also not an officer of the Commission. Therefore, in order to avail itself of the broad discovery rights under Pub. Util. Code § 314, Cal Advocates must be delegated the authority by a Commissioner or an officer of the Commission and "produce, under hand and seal of the commission, authorization to make the inspection."

The Commission has determined that under Pub. Util. Code § 314 "the powers it describes can and *must be delegated to be effective*."⁶ The Commission delegates its authority in a variety of contexts and through various means. For example, the Commission has delegated its authority to Commission staff as part of Order Instituting Investigations⁷ and through letters and

⁵ See Attachment D, *E-mail dated October 16, 2019*.

⁶ D.05-06-033, at 41 (emphasis added).

⁷ See Order Instituting Investigation on the Commission's Own Motion to Determine Whether Southern California Gas Company's and Sempra Energy's Organizational Culture and Governance Prioritize Safety (U904G) (issued June 27, 2019) at 14 ("... the Commission hereby confirms that under Pub. Util.

subpoenas signed by an officer of the Commission.⁸ However, SoCalGas is not aware of any delegation of authority to Cal Advocates that pertains to this series of data requests. Cal Advocates has not produced any delegation of authority pursuant to Pub. Util. Code § 314, and therefore, cannot rely on Pub. Util. Code § 314.

B. Cal Advocates' Discovery Rights Under Pub. Util. Code § 309.5(e) Are Not Unfettered

Cal Advocates argues that it has broad discovery authority and is entitled to SoCalGas' shareholder funded contracts under Pub. Util. Code § 309.5(e).⁹ However, the plain language of Section 309.5(e) makes clear that Cal Advocates does not have unlimited rights and authority.

Pub. Util. Code § 309.5(e) provides that "[the] division may compel the production or disclosure of any information that it deems *necessary to perform its duties* from any entity regulated by the commission."¹⁰ It is clear from the language of the statute that Cal Advocates' discovery rights are limited to that information that it deems necessary to perform its duties. Commission decisions have also recognized limitations on Cal Advocates' discovery rights.¹¹ Cal Advocates' duties are defined in Pub. Util. Code § 309.5(a), which states:

There is within the commission an independent Public Advocate's Office of the Public Utilities Commission *to represent and advocate on behalf of the interests of public utility customers* and subscribers within the jurisdiction of the commission. The goal of the office shall be *to obtain the lowest possible rate for service consistent with reliable and safe service levels*. For revenue allocation and rate design matters, the office shall primarily consider the interests of residential and small commercial customers. (Emphasis Added.)

Based on Pub. Util. Code §§ 309.5(e) and 314, Cal Advocates' discovery rights are limited to its statutory duties to represent and advocate on behalf of utility ratepayers and to obtain the lowest possible rate consistent with reliable and safe service. Here, Cal Advocates has failed to clearly articulate how obtaining SoCalGas' 100 percent shareholder funded contracts are necessary for Cal Advocates to perform those statutory duties. Instead Cal Advocates asserts in

Code §§ 313, 314, 314.5, 315, 581, 582, 584, 701, 702, 771, 1794, and 1795, the Commission staff may obtain information from utilities and is already deemed to have the general investigatory authority of the Commission.") available at

<http://docs.cpuc.ca.gov/SearchRes.aspx?DocFormat=ALL&DocID=306870841>.

⁸ D.05-06-033, at 43 (The Commission's Executive Director delegated his authority to the Consumer Protection and Safety Division through letters and subpoenas that he signed.)

⁹ Motion, at 2.

¹⁰ Pub. Util. Code § 309.5(e) (emphasis added).

¹¹ D.07-03-014, at 220 (upholding that plain language of the statute which limited DRA's discovery authority).

a meet and confer, and repeats in the Motion,¹² that it is not required to provide a rationale as to how the contracts are necessary to perform its statutory duties. Cal Advocates improperly attempts to expand its scope of authority contravening the express language of Pub. Util. Code § 309.5(e). It is black letter law in California that when interpreting a statute, “[w]e begin with the plain language of the statute, affording the words of the provision their ordinary and usual meaning and viewing them in their statutory context, because the language employed in the Legislature’s enactment generally is the most reliable indicator of legislative intent.’ The plain meaning controls if there is no ambiguity in the statutory language.”¹³ There is no ambiguity in the statute. It is clear from the plain language of the statute that there are limitations on Cal Advocates’ rights. Cal Advocates cannot simply read out the limitation of the statute to suit its purpose.

Cal Advocates first asserted that the contracts were necessary for it to determine whether ratepayer or shareholder funds were used to fund the contracts. After SoCalGas explained its accounting practices to Cal Advocates describing how ratepayer and shareholder costs are funded and that seeing the actual contracts will not serve that purpose, Cal Advocates expressed an additional reasoning for wanting the contracts -- it needed the contracts to determine whether SoCalGas shareholders are taking positions that are inconsistent with State policy. This reasoning is too general and vague for anyone to determine how the contracts are necessary for Cal Advocates to perform its statutory duties. Permitting Cal Advocates to meet its statutory requirements through such general and vague justifications would obliterate the statutory limitation.

In its Motion, Cal Advocates asserts, for the first time, that it needs SoCalGas’ 100 percent shareholder funded contracts to determine how these contracts may have affected ratepayers’ interests to achieving a least-cost path to meeting the State’s decarbonization goals.¹⁴ This reasoning is also vague and ambiguous. Because this reasoning was provided for the first time in the Motion, SoCalGas was not able to meet and confer in order to clarify what Cal Advocates meant by this reasoning.

Cal Advocates has not clearly articulated how obtaining the 100 percent shareholder contracts is necessary to perform its statutory duties. Without this information, the Commission cannot determine whether Cal Advocates is in fact appropriately exercising its authority under Pub. Util. Code § 309.5(e).

C. Permitting Cal Advocates Overly Broad Discovery May Chill SoCalGas’ Shareholders First Amendment Rights

¹² Motion, at 8.

¹³ *Poole v. Orange Cty. Fire Auth.*, 61 Cal. 4th 1378, 1384–85 (2015) citing to *People v. Cornett* 53 Cal.4th 1261, 1265 (2012).

¹⁴ Motion at 8.

Letter to President Batjer

October 17, 2019

Page 7

It is clear that utilities are entitled to the full protection of the First Amendment of the United States Constitution.¹⁵ The First Amendment not only protects the right to free speech but also the right to petition. Lobbying the government is a “fully protected” right under the First Amendment.¹⁶ The Ninth Circuit Court of Appeal held that it is unconstitutional when a government official’s actions, even while conducting an investigation, “would chill or silence a person of ordinary fitness from future First Amendment activities.”¹⁷ “It is axiomatic that when the actions of government officials so directly affect citizens’ First Amendment rights, the officials have a duty to take the least intrusive measures necessary to perform their assigned functions.”¹⁸

In *White v. Case*, the Department of Housing and Urban Development (“HUD”) officials were investigating whether a group of individuals that opposed and lobbied against a conversion of a motel into a multi-family housing unit for the homeless engaged in unlawful discriminatory practices.¹⁹ During the course of the investigation, HUD officials took certain actions that the Court deemed to be excessive in breadth including “directing individuals under threat of subpoena to produce all their publications, minutes of relevant meetings, correspondences with other organizations, and the names and address, and telephone numbers of persons who were involved in or had witnessed the alleged discriminatory conduct.”²⁰ The Court found that the breadth of HUD’s investigation and the measures the officials took bore no relationship to the purpose of the investigation.²¹ The Court held that HUD officials’ excessive actions would have chilled or silenced a person of ordinary firmness from engaging in future First Amendment activities.²²

Similarly here, Cal Advocates states in its Motion that it is “currently investigating SoCalGas’ funding of political lobbying activities, including, among other things whether and to what extent ratepayer money was used to found and support Californians for Balanced Energy Solutions (C4BES)”²³ and that its discovery requests are in furtherance of that investigation. Cal Advocates also stated it needed the contracts to determine whether SoCalGas’ shareholders are taking positions that are not consistent with State policy. Therefore, it is clear that Cal Advocates is investigating matters that affect SoCalGas’ shareholders’ First Amendment rights. As such, Cal Advocates must take the least intrusive measures necessary to perform its assigned functions. However, as SoCalGas has explained, obtaining SoCalGas’ 100 percent shareholder contracts are not the least intrusive means since the contracts themselves will not indicate

¹⁵ *Pacific Gas & Elec. Co. v. Pub. Utilities Comm’n of California*, 475 U.S. 1, 17, n. 14 (1986) (plurality opinion); *Consolidated Edison Co. of N.Y. v. Pub. Serv. Comm’n of N.Y.*, 447 U.S. 530, 534 n.1; *Pacific Gas & Elec. Co. v. Pub. Utilities Comm’n*, 85 Cal. App. 4th 86, 93 (2000).

¹⁶ *F.T.C. v. Superior Court Trial Lawyers Ass’n*, 493 U.S. 411, 426 (1990).

¹⁷ *White v. Lee*, 227 F.3d 1214, 1228 (9th Cir. 2000).

¹⁸ *Id.* at 1237.

¹⁹ *Id.* at 1222.

²⁰ *Id.* at 1237-1238.

²¹ *Id.* at 1238.

²² *Id.* at 1229.

²³ Motion, at 2.

Letter to President Batjer

October 17, 2019

Page 8

whether they are ratepayer or shareholder funded. This would require an accounting exercise reviewing ratepayer accounts, not shareholder accounts, to see what payments are made from those ratepayer accounts. Contracts that are 100 percent shareholder funded bear no relationship to the purpose of Cal Advocates investigation.

Further, Cal Advocates' assertion that it is entitled to the contracts to determine whether SoCalGas' shareholders are taking positions that are not consistent with State policy is not relevant to the question of whether SoCalGas is funding political lobbying activities with ratepayer or shareholder funds. As such, Cal Advocates' demand that SoCalGas produce all 100 percent shareholder funded contracts and amendments is excessive in breadth similar to the actions of HUD's officials that chilled speech. The information in these contracts contain some of the same information as the HUD officials' request such as names, addresses, and telephone numbers of those involved with the contracts. This is particularly concerning in this case since Cal Advocates has previously provided documents that it received as part of this series of data requests to third parties and some of the documents have been posted on social media.²⁴

Therefore, if Cal Advocates is demanding the 100 percent shareholder funded contracts to determine whether the contracts were shareholder or ratepayer funded, then the contracts will not achieve that function. If Cal Advocates is demanding the contracts to determine whether SoCalGas' shareholders are taking actions that are not consistent with State policy, which SoCalGas denies, such actions are unconstitutional as it would have a chilling effect on SoCalGas' shareholders' First Amendment rights.

D. Cal Advocates Failed to Meet and Confer in Good Faith and Deprived SoCalGas Due Process.

As described above, Cal Advocates did not meet and confer in good faith as required by Commission Rules of Practice and Procedure, Rule 11.3(a). Rule 11.3(a) requires a party to meet-and-confer "in a good faith effort to informally resolve the dispute" prior to filing a motion to compel.²⁵ The Commission's Discovery: Custom and Practice Guidelines elaborates:

As a general principle, discovery should proceed in a cooperative and efficient manner, differences should be resolved as much as possible among the parties, and a discovery dispute should be brought before the assigned Administrative Law Judge only as a last resort, after the parties' good faith efforts at resolution of the dispute have failed.²⁶

Cal Advocates has not met and conferred in good faith to resolve the discovery dispute. Cal Advocates refusing to discuss the link or nexus to how the inquiry falls within the scope of

²⁴ See Attachment B, *Response of SoCalGas to August 14, 2019 Motion to Compel Further Responses from Southern California Gas Company to Data Request-CalAdvocates-SC-SCG-2019-04 (August 26, 2019)*, Attachment A: *Twitter publications*.

²⁵ Commission's Rules of Practice and Procedure, Rule 13(a).

²⁶ Discovery: Custom and Practice Guidelines at 1 (available at: http://docs.cpuc.ca.gov/word_pdf/REPORT/117475.pdf).

Letter to President Batjer

October 17, 2019

Page 9

Cal Advocates' statutory duties and then subsequently providing vague and ambiguous reasoning are not good faith efforts to meet and confer.

Moreover, Cal Advocates providing its reasoning that it needs SoCalGas' 100 percent shareholder funded contracts to determine how these contracts may have affected ratepayers' interests to achieving a least-cost path to meeting the State's decarbonization goals for the first time in its Motion²⁷ deprives SoCalGas of an opportunity to meet and confer as to this reasoning and deprives SoCalGas of the ability to understand and respond to this motion in violation of SoCalGas' due process rights. The Commission has recognized that a utility is entitled to procedural and substantive due process.²⁸ Where, as here, a party is "kept in the dark about the specific charges" made against them, it is a "charade" and "does not serve the public interest."²⁹ In addition to Cal Advocates' general, vague and ambiguous justifications, Cal Advocates shifting theories for needing the contracts deprives SoCalGas of adequate due process. In these circumstances, Courts have reversed Administrative Law Judge's findings on the grounds that the respondent was not accorded adequate due process.³⁰ Cal Advocates' failure to meet and confer in good faith violated SoCalGas' due process rights and is sufficient grounds for the Commission to deny the Motion.

E. This Motion has not been Implicitly Decided in Judge DeAngelis' Prior Ruling.

Cal Advocates claims in its Motion that "this matter had been argued in the prior motion to compel and decided by Judge DeAngelis."³¹ However, in Cal Advocates' reply related to its previous motion to compel, Cal Advocates expressly stated that this exact data request "is not the subject of the pending Public Advocates Office's Motion..."³² Further, Cal Advocate also admits, Judge DeAngelis' Ruling did not state the rationale for granting the motion to compel.³³ Instead, Cal Advocates contends that SoCalGas' arguments were *implicitly rejected* in Judge DeAngelis' September 10, 2019 Ruling³⁴ and if there was any merit to SoCalGas' arguments, Judge DeAngelis would have granted the motion.³⁵ This is entirely speculative. There is no support for the statement that the current discovery dispute was implicitly rejected and decided in the prior ruling. On the contrary, the current data request at issue here was specifically not

²⁷ Motion, at 8.

²⁸ D.86-01-025, *Re Pacific Gas and Elec. Co.*, 20 CPUC 2d 210, 1986 WL 1300926 (Cal.P.U.C.) (1986).

²⁹ *Rosenblit v. Superior Court*, 231 Cal.App. 3d 1434, 1448 (1991)

³⁰ *Smith v. State Bd. of Pharmacy*, 37 Cal.App.4th 229, 232, 245 (1995) (The Court reversed a California State Board of Pharmacy's administrative law judge's decision revoking a pharmacist license on the grounds that respondent was deprived his due process when the Board changed their theory of the case during the hearings.)

³¹ Motion, at 8.

³² See Attachment C, *Reply of the Public Advocates Office to Response of SoCalGas to August 14, 2019 Motion to Compel Further Responses from Southern California Gas Company to Data Request – Cal Advocates-SC-SCG-2019-04 in the Discovery Dispute Between Public Advocates Office and Southern California Gas Company, August 2019 (Not in a Proceeding)* (September 9, 2019), at 9.

³³ See Motion, Exhibit 6.

³⁴ Motion, at 6.

³⁵ Motion, at 9.

included in the prior motion by Cal Advocates. Judge DeAngelis' prior ruling was on a different data request seeking different information with different facts. Here, the data requests are more intrusive and could have broader implications such as chilling SoCalGas' shareholders First Amendment rights.

F. Cal Advocates Request that SoCalGas Produce Documents within 24 Hours of the Ruling on the Motion is Arbitrary.

Cal Advocates requests that SoCalGas be ordered to produce the documents within 24 hours of the ruling on the Motion is arbitrary. This data request is outside the scope of any proceeding. Cal Advocates has not provided any justification for requesting such a short production schedule. Cal Advocates has not presented any pressing need for the contracts. Due to the invasiveness of Cal Advocates data request, should the Commissioner or the assigned Administrative Law Judge grant the Motion, SoCalGas requests that the ruling provide SoCalGas at least two weeks to file an appeal with a concurrent motion to stay enforcement of the ruling.

III. CONCLUSION

Based on the foregoing, Cal Advocates' Motion should be denied. Cal Advocates relies on two statutory provisions to demand SoCalGas' 100 percent shareholder funded contracts. However, neither Pub. Util. Code §§ 309.5(e) or 314 supports Cal Advocates' assertions that it is entitled to the contracts. Further, permitting Cal Advocates to inspect SoCalGas' 100 percent shareholder funded contracts would be unconstitutional as it would have a chilling effect on SoCalGas' shareholders' First Amendment rights.

Submitted on behalf of SoCalGas,

/s/ Johnny Q. Tran

Johnny Q. Tran
Attorney for:
Southern California Gas Company
555 W. 5th Street, Suite 1400
Los Angeles, CA 90013
Telephone: (213) 244-2981
Facsimile: (213) 629-9620
Email: jqtran@socalgas.com

Attachments A-D

EXHIBIT L

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

**ADMINISTRATIVE LAW JUDGE'S RULING IN THE DISCOVERY DISPUTE
BETWEEN PUBLIC ADVOCATES OFFICE AND SOUTHERN CALIFORNIA
GAS COMPANY, OCTOBER 7, 2019 (NOT IN A PROCEEDING)**

This ruling resolves the discovery dispute between Southern California Gas Company (SoCalGas) and Public Advocates Office of the California Public Utilities Commission (Cal Advocates) by granting Cal Advocates' October 7, 2019 *Motion to Compel Responses from Southern California Gas Company to Question 8 of Data Request- CalAdvocates-SC-SCG-2019-05*. SoCalGas shall, within two business days, provide the information sought in response to Data Request - CalAdvocates-SC-SCG-2019-05 (DR SC-SCG-2019-05) - Question 8.

1. Background

SoCalGas is regulated by the Commission. On October 7, 2019, Cal Advocates sent to the Commission's President a *Motion to Compel Responses from Southern California Gas Company to Question 8 of Data Request - CalAdvocates-SC-SCG-2019-05 (Not in a Proceeding)*. The data requests referred to in this Motion to Compel were not issued pursuant to any open Commission proceeding. Therefore, no assigned Commissioner exists for this discovery dispute. In this situation, Pub. Util. Code § 309.5(e) provides that the President of the Commission must decide any discovery objections. On October 25, 2019, the President of the Commission referred this dispute to the Chief Administrative Law Judge (ALJ) for resolution. On October 29, 2019, the Chief ALJ designated an ALJ to review and dispose of the dispute.

2. Discussion

The October 7, 2019 Motion to Compel states that SoCalGas responded to Data Request - CalAdvocates-SC-SCG-2019-05 but, regarding Question 8, refused to provide responsive documents in response to Question 8.¹

On October 17, 2019, SoCalGas sent to the President of the Commission the *Response of SoCalGas to the October 7, 2019 Motion to Compel Further Responses from Southern California Gas Company to Data Request (Not in a Proceeding)*. In this Response, SoCalGas objects to the Motion to Compel.

On October 30, 2019, the Administrative Law Judge granted Cal Advocates request to file a Reply. On October 31, 2019, Cal Advocates submitted a Reply to SoCalGas' Responses, *Reply of the Public Advocates Office to Response of SoCalGas to October 7, 2019 Motion to Compel Further Responses From Southern California Gas Company to Data Request-CalAdvocates-SC-SCG-2019-05 (Not in a Proceeding)*.

After reviewing the Cal Advocates' Motion, SoCalGas' Response, and Cal Advocates' Reply, Cal Advocates' Motion to Compel submitted pursuant to Pub. Util. Code § 309.5(e), § 314, and Rule 11.3 of the Commission's Rules of Practice and Procedure is granted.

¹ Prior to filing the Motion to Compel, Cal Advocates and SoCalGas held a meet-and-confer.

IT IS SO RULED that the October 7, 2019 Motion to Compel submitted by Cal Advocates pursuant to Pub. Util. Code § 309.5(e), § 314, and Rule 11.3 of the Commission's Rules of Practice and Procedure is granted. SoCalGas shall, within two businesses days, provide the information sought in response to Question 8 of Data Request - CalAdvocates-SC-SCG-2019-05.

Dated November 1, at San Francisco, California.

/s/ REGINA M. DEANGELIS

Regina M. DeAngelis
Administrative Law Judge

INFORMATION REGARDING SERVICE

I have electronically served all persons on the attached.

Administrative Law Judge's Ruling in the Discovery Dispute between
Public Advocates Office and Southern California Gas Company, August 2019
(Not in a Proceeding).

Regina DeAngelis, Regina.deangelis@cpuc.ca.gov

Rebecca Vorpe, Rebecca.Vorpe@cpuc.ca.gov

JQTran@socalgas.com

CSierzant@socalgas.com

SLee5@socalgas.com

Buch@cpuc.ca.gov

Stephen.Castello@cpuc.ca.gov

The list I use is current as of today's date.

Dated November 1, 2019, at San Francisco, California.

/s/ REGINA M. DEANGELIS

Regina DeAngelis